

101

RESOLUTION NUMBER R- 303946

DATE OF FINAL PASSAGE JUL 29 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSEMENT AGREEMENT WITH BMR CONSTRUCTION INC., FOR THE DESIGN AND CONSTRUCTION OF LANDSCAPE, IRRIGATION, AND MEDIAN IMPROVEMENTS FOR THE PARK VILLAGE MAINTENANCE ASSESSMENT DISTRICT; AND AUTHORIZING THE AUDITOR TO EXPEND FUNDS THEREFOR.

WHEREAS, the Park Village Maintenance Assessment District includes funding in an amount not to exceed \$90,000 for a portion of construction of the landscape median located along Black Mountain Road within the Park Village Maintenance Assessment District; and

WHEREAS, on July 20, 2004, the fiscal year 2004-2005 Appropriation Ordinance (O-19301) authorized the creation of CIP No. 52-736.0, Black Mountain Road Median from Canyonside Community to Park Village Road; and

WHEREAS, developer BMR Construction, Inc. constructed median improvements along Black Mountain Road as shown in plan set 32740-D (1-46), Work Order 421783, approved by the City of San Diego [City] and authorized for construction by Engineering Permit Number W51903; and

WHEREAS, the median improvements are within the boundaries of the Park Village Maintenance Assessment District and are subject to maintenance by the Park Village Maintenance Assessment District; and

WHEREAS, the construction of the landscape median was completed on April 14, 2006, and BMR Construction certified that during the design, engineering, and construction of the

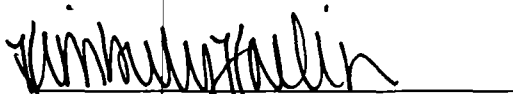
landscape median improvements, it complied with all applicable laws and terms and conditions of the subject agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego [Council], that the Mayor, or his designee, is authorized and directed to execute, for and on behalf of the City, the Reimbursement Agreement with BMR Construction, Inc. for the design and construction of landscape, irrigation, and median improvements for the Park Village Maintenance Assessment District.

BE IT FURTHER RESOLVED, that the Council authorizes the City Auditor and Comptroller to expend \$90,000 from Fund 702281, Park Village Maintenance Assessment District, for design and construction of landscape, irrigation, and median improvements for the Park Village Maintenance Assessment District as set forth in the Reimbursement Agreement.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Kimberly K. Kaelin
Deputy City Attorney

KKK:bas
06/25/08
Or.Dept: P&R
R-2008-1201
MMS #6424

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 22 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-19-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800913
ORIGINATING DEPT NO 446

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted

Amount _____ Fund _____

Purpose _____

Date _____ By _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

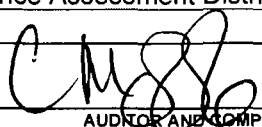
CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego, and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered

Not to Exceed \$90,000 00

Vendor BMR Construction, Inc

Purpose Authorize execution of Reimbursement Agreement for the Design and Construction of Landscape, Irrigation and Median Improvements for the Park Village Maintenance Assessment District CIP 52-736 0

Date June 19, 2008 By 
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
001	0		30244	107	4279	527360				\$90,000 00
TOTAL AMOUNT										\$90,000 00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2800913

R- 303946

JUL 22 2008