

RESOLUTION NUMBER R- 304731

DATE OF FINAL PASSAGE APR 8 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE, APPROPRIATION AND EXPENDITURE OF FUNDS FOR THE CONSTRUCTION OF JOINT USE IMPROVEMENTS AT THE MONTGOMERY MIDDLE SCHOOL.

WHEREAS, the Montgomery Academy (Middle School) Joint Use Improvements [Project] is included in the Fiscal Year 2009 Capital Improvement Project Budget (CIP 29-954.0); and

WHEREAS, this action authorizes the application for grant funding, and the acceptance, appropriation and expenditure of the various funds necessary for the construction of the Project; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. Authorizing the Mayor or his representative to make application to the State of California for \$69,905 in Per Capita grant funds under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, improvements to a facility used jointly by the school and the City at Montgomery Middle School;

2. Authorizing the Mayor or his representative to take all necessary actions to secure grant funding from the State of California;

3. Authorizing the Comptroller to accept \$69,905 of 2002 Resources Bond Per Capita grant funding for the purpose of constructing the joint use facilities at Montgomery Middle School;

4. Authorizing the Comptroller to establish a special interest-bearing fund for the grant;

5. Authorizing the Comptroller to accept \$396,000 of Developer Contribution funding for the purpose of constructing joint use facilities at Montgomery Middle School;

6. Authorizing the Comptroller to establish a special interest-bearing fund for the Developer Contribution (Developer Contributions/Parks);

7. Authorizing a \$724,000 increase in the Fiscal Year 2009 Capital Improvements Program Budget for CIP No. 29-954.0, Montgomery Academy – Joint Use Improvements, \$45,000 from Fund No. 79503, Linda Vista Development Impact Fees, \$107,095 from Fund No. 18542, Community Development Block Grant 2006, \$69,905 from 2002 Resource Bond Capita grant fund, and \$396,000 from Developer Contributions/Parks fund;

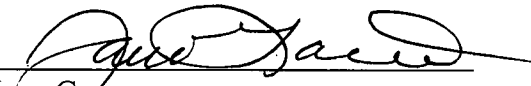
8. Authorizing the transfer of \$107,095 from Dept. No. 4343, Org. No. 4307, Job Order No. 000001 to CIP No. 29-954.0, Montgomery Academy - Joint Use Improvements, within Fund No. 18542, Community Development Block Grant 2006;

9. Authorizing the Comptroller to appropriate and expend \$724,000 from CIP No. 29-954.0, Montgomery Academy – Joint Use Improvements, as follows: \$45,000 from unallocated Linda Vista Development Impact Fees, Fund No. 79503, \$107,095 District #6 Community Development Block Grant, Fund No 18542, \$69,905 from 2002 Resource Bond Capita grant fund, if grant funding is secured, and \$396,000 from Developer Contributions/Parks fund, for the purpose of constructing the joint use facilities; and

10. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves; and

11. That this activity is categorically exempt from CEQA per State CEQA Guidelines
15301 (existing facilities).

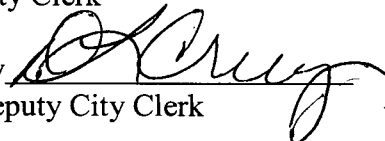
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Jana Garmo
Deputy City Attorney

JG:cfq
03/23/09
AC:2905561
Or.Dept:Planning
R-2009-835
mms#7722

I hereby certify that the foregoing Resolution was passed by the Council of the City of San
Diego, at this meeting of MAR 23 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4-8-09
(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 2900561
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: \$152,095.00 Fund: 18542 / 79503

Purpose: To authorize the expenditure of funds for Montgomery Middle School Joint Use Improvements Reimburseemnt Agreement between the City and the Irvine Company, LLC relating to the construction of the Facilities. CIP 29-954.0

Date: February 3, 2009 By: Rob Ruscitto *RR*
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	79503			9544					\$45,000.00
002	0	18542	4343	4307	4279	000001				\$107,095.00
TOTAL AMOUNT										\$152,095.00

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: _____

Vendor: _____

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										

AC-361 (REV 2-92)

FUND OVERRIDE

2900561

R 304731

MAR 23 2009