

RESOLUTION NUMBER R- 305070

DATE OF FINAL PASSAGE JUL 21 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO: 1) AUTHORIZING THE EXECUTION OF A MAINTENANCE AGREEMENT WITH BIRD ROCK DEVELOPMENT CORPORATION FOR ADMINISTRATION OF CONTRACTS FOR GOODS AND SERVICES FOR THE BIRD ROCK MAINTENANCE ASSESSMENT DISTRICT; AND 2) AUTHORIZING APPROPRIATION AND EXPENDITURE OF FUNDS FOR ADMINISTRATIVE FEES.

WHEREAS, Resolution R-300746 approved the Bird Rock Maintenance Assessment District [District] on August 2, 2005; and

WHEREAS, on August 2, 2005, a majority of the ballots submitted by property owners were in favor of the Bird Rock Development Corporation administering contracts for goods and services in the District; and

WHEREAS, pursuant to San Diego Municipal Code section 65.0212, the City Council may authorize the Mayor to execute an annual Maintenance Agreement with the Bird Rock Development Corporation for the administration of contracts for goods and services for the District; NOW, THEREFORE,

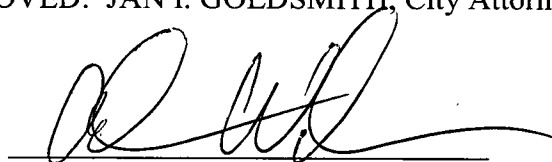
BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor is authorized and empowered to execute a Maintenance Agreement for the administration of contracts for goods and services with the Bird Rock Development Corporation for the Bird Rock Maintenance Assessment District for a one year period beginning July 1, 2009 through June 30, 2010 in accordance with San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the Bird Rock Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 305070.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to appropriate and expend an amount not to exceed the lesser of \$24,750 or 15 percent (15%) of the estimated annual expenditures in the District from Fund No. 70281 over the life of the Maintenance Agreement for administrative costs incurred by the Bird Rock Development Corporation in the course of providing services under the Maintenance Agreement for the District, contingent upon certification of funds availability by the City Comptroller.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer an amount not to exceed the greater of \$3,500 or four percent (4%) of annual expenditures in the District from Fund No. 70281 to Fund No. 70208 for administrative costs incurred by the City of San Diego in the course of providing administrative services to the Bird Rock Maintenance Assessment District, contingent upon certification of funds availability by the City Comptroller.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

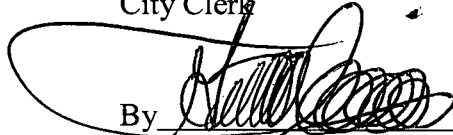


Adam R. Wander
Deputy City Attorney

ARW:mm
05/18/09
Or.Dept: P&R
R-2009-1162
MMS# 9235

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 13 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-21-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

R-305070