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RESOLUTION NUMBER R- 305178

ADOPTED ON JUL 31 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF FISCAL YEAR 2010 SERVICE AGREEMENTS WITH SELF-MANAGED MAINTENANCE ASSESSMENT DISTRICTS FOR ADMINISTRATION OF CONTRACTS FOR GOODS AND CONTRACTS FOR SERVICES, AND AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF FUNDS FOR ADMINISTRATIVE FEES INCURRED IN THE COURSE OF PROVIDING ADMINISTRATIVE SERVICES TO THE SELF-MANAGED MAINTENANCE ASSESSMENT DISTRICTS AND THE DOWNTOWN PROPERTY AND BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2010.

WHEREAS, the Maintenance Assessment District Ordinance, codified at San Diego Municipal Code section 65.0201, *et seq.*, authorizes a non-profit corporation to administer Contracts for Goods and Contracts for Services for a Maintenance Assessment District [MAD]; and

WHEREAS, on July 13, 2009 by Resolution Nos. R- 305073 and R- 305074, the Council of the City of San Diego approved the annual assessment engineer reports for the self-managed MADs and declared its intent to levy and collect assessments for fiscal year 2010; and

WHEREAS, upon authorization of the City Council, the Mayor may be empowered to execute a maintenance agreement with a non-profit organization for the administration of Contracts for Goods and Contracts for Services for a self-managed MAD pursuant to San Diego Municipal Code section 65.0212 [Maintenance Agreement]; 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 Contracts for Services pursuant to San Diego Municipal Code section 65.0212 [Maintenance Agreement] with the Adams Avenue Business Association for the Adams Avenue Maintenance Assessment District for a one year period beginning July 1, 2009 through June 30, 2010 in accordance with the San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the Adams Avenue Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 305178-1.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$7,530 from Fund No. 70247 for administrative costs incurred by the Adams Avenue Business Association in the course of providing services under the Maintenance Agreement for the Adams Avenue Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$3,500 from Fund No. 70247 to Fund No. 70267 for administrative costs incurred by the City of San Diego [City] in the course of providing administrative services to the Adams Avenue Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the Mayor is authorized and empowered to execute a Maintenance Agreement with the Central Commercial District Revitalization Corporation for the Central Commercial Maintenance Assessment District for a one year period beginning July 1,

2009 through June 30, 2010 in accordance with the San Diego Municipal Code section 65.0212.

A copy of the Maintenance Agreement for the Central Commercial Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 305178-2

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$32,829 from Fund No. 70260 for administrative costs incurred by the Central Commercial District Revitalization Corporation in the course of providing services under the Maintenance Agreement for the Central Commercial Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$8,754 from Fund No. 70260 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Central Commercial Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the Mayor is authorized and empowered to execute a Maintenance Agreement with the City Heights Business Association for the City Heights Maintenance Assessment District for a one year period beginning July 1, 2009 through June 30, 2010 in accordance with the San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the City Heights Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 305178-3

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$45,314 from Fund No. 70268 for administrative costs incurred by the City Heights Business Association in the course of providing

services under the Maintenance Agreement for the City Heights Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$12,084 from Fund No. 70268 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the City Heights Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the Mayor is authorized and empowered to execute a Maintenance Agreement with the College Area Economic Development Corporation for the College Heights Maintenance Assessment District for a one year period beginning July 1, 2009 through June 30, 2010 in accordance with the San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the College Heights Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 305178-4.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$42,970 from Fund No. 70266 for administrative costs incurred by the College Area Economic Development Corporation in the course of providing services under the Maintenance Agreement for the College Heights Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$11,459 from Fund No. 70266 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the

College Heights Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the Mayor is authorized and empowered to execute a Maintenance Agreement with the Greater Golden Hill Community Development Corporation for the Greater Golden Hill Maintenance Assessment District for a one year period beginning July 1, 2009 through June 30, 2010 in accordance with the San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the Greater Golden Hill Maintenance Assessment District is on file in the office of the City Clerk as Document No.

RR 305178-5

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$60,000 from Fund No. 70286 for administrative costs incurred by the Greater Golden Hill Community Development Corporation in the course of providing services under the Maintenance Agreement for the Greater Golden Hill Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$9,741 from Fund No. 70286 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Greater Golden Hill Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the Mayor is authorized and empowered to execute a Maintenance Agreement with the Hillcrest Business Association for the Hillcrest Commercial Core Maintenance Assessment District for a one year period beginning July 1, 2009 through

June 30, 2010 in accordance with the San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the Hillcrest Commercial Core Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 305178-6

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$13,493 from Fund No. 70284 for administrative costs incurred by the Hillcrest Business Association in the course of providing services under the Maintenance Agreement for the Hillcrest Commercial Core Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$3,598 from Fund No. 70284 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Hillcrest Commercial Core Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the Mayor is authorized and empowered to execute a Maintenance Agreement with the Little Italy Association for the Little Italy Maintenance Assessment District for a one year period beginning July 1, 2009 through June 30, 2010 in accordance with the San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the Little Italy Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 305178-7

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$112,290 from Fund No. 70261 for administrative costs incurred by the Little Italy Association in the course of providing services

under the Maintenance Agreement for the Little Italy Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$29,944 from Fund No. 70261 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Little Italy Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the Mayor is authorized and empowered to execute a Maintenance Agreement with the Ocean Beach Main Street Association for the Newport Maintenance Assessment District for a one year period beginning July 1, 2009 through June 30, 2010 in accordance with the San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the Newport Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 305178 8

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$8,565 from Fund No. 70241 for administrative costs incurred by the Ocean Beach Main Street Association in the course of providing services under the Maintenance Agreement for the Newport Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$3,500 from Fund No. 70241 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the

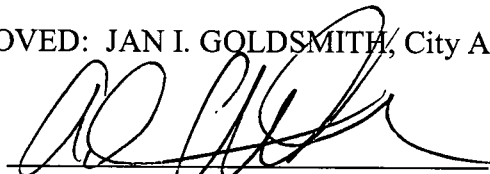
Newport Maintenance Assessment District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to transfer an amount not to exceed \$110,675 from Fund No. 70241 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Downtown Property and Business Improvement District, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$193,255 from Fund No. 70267 for administrative costs incurred by the City in the administration of the Adams Avenue, Central Commercial, City Heights, College Heights, Greater Golden Hill, Hillcrest Commercial Core, Little Italy and Newport Avenue Maintenance Assessment Districts and the Downtown Property and Business Improvement District for Fiscal Year 2010, provided that the City's Chief Financial Officer first furnishes one or more certificates certifying that the funds are available.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Adam R. Wander
Deputy City Attorney

ARW:mm
07/15/09
Or.Dept:Econ.&Dev't
R-2010-66
MMS#9924

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~JUL 28 2009~~

ELIZABETH S. MALAND
City Clerk

By Mary Zumbay
Deputy City Clerk

Approved: 7-31-09
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor