

RESOLUTION NUMBER R- 306022

DATE OF FINAL PASSAGE JUL 26 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO 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 IN FY 2011 AND AUTHORIZING THE 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, 2010 through June 30, 2011 in accordance with San Diego Municipal Code section 65.0212. A copy of the

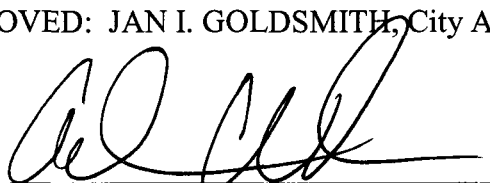
Maintenance Agreement for the Bird Rock Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 306022.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, or his designee, is authorized to appropriate and expend an amount not to exceed \$24,750 from Fund No. 200103, Bird Rock Maintenance Assessment District, 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 approval of the Fiscal Year 2011 Appropriation Ordinance and contingent upon Comptroller certifying that funds are available.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, or his designee, 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. 200103 to Fund No. 200023, and to appropriate and expend that amount 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 approval of the Fiscal Year 2011 Appropriation Ordinance and contingent upon Comptroller certifying that funds are available.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Adam R. Wander
Deputy City Attorney

ARW:js
06/06/10
Or.Dept: P&R
R-2011-30

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 20 2010.

ELIZABETH S. MALAND
City Clerk

By *Sara Richardson*
Deputy City Clerk

Approved: 7-26-10
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor