

RESOLUTION NUMBER R- 306025

ADOPTED ON AUG 05 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF FISCAL YEAR 2011 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 FOR FISCAL YEAR 2011.

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 20, 2010, by Resolution Nos. R-306023 and R-306024, the Council of the City of San Diego approved the annual assessment engineer reports for the self-managed MADs and authorized the levy and collection of assessments for fiscal year 2011; 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; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, 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, 2010 through June 30, 2011 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 306025-1.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer, or his designee, is authorized to appropriate and expend an amount not to exceed \$7,530 from Fund No. 200061 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, 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 City's 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. 200061 to Fund No. 200086, and to appropriate and expend that amount 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, 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 Mayor, or his designee, 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, 2010 through June 30, 2011 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 306025-2.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer, or his designee, is authorized to appropriate and expend an amount not to exceed \$32,829 from Fund No. 200078 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, 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 City's 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. 200078 to Fund No. 200086, and to appropriate and expend that amount for administrative costs incurred by the City in the course of providing administrative services to the Central Commercial Maintenance Assessment 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 Mayor, or his designee, 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, 2010

through June 30, 2011 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 306025-3.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer, or his designee, is authorized to appropriate and expend an amount not to exceed \$45,314 from Fund No. 200087 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, 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 City's 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. 200087 to Fund No. 200086, and to appropriate and expend that amount for administrative costs incurred by the City in the course of providing administrative services to the City Heights Maintenance Assessment 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 Mayor, or his designee, 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, 2010 through June 30, 2011 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 306025-4

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer, or his designee, is authorized to appropriate and expend an amount not to exceed \$42,970 from Fund No. 200084 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, 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 City's 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. 200084 to Fund No. 200086, and to appropriate and expend that amount for administrative costs incurred by the City in the course of providing administrative services to the College Heights Maintenance Assessment 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 Mayor, or his designee, 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, 2010 through June 30, 2011 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 306025-5

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer, or his designee, is authorized to appropriate and expend an amount not to exceed \$73,058 from Fund No. 200106 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, 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 City's 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. 200106 to Fund No. 200086, and to appropriate and expend that amount for administrative costs incurred by the City in the course of providing administrative services to the Greater Golden Hill Maintenance Assessment 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 Mayor, or his designee, 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, 2010 through June 30, 2011 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 306025-6

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$13,527 from Fund No. 200105 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, 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 City's 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. 200105 to Fund No. 200086, and to appropriate and expend that amount for administrative costs incurred by the City in the course of providing administrative services to the Hillcrest Commercial Core Maintenance Assessment 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 Mayor, or his designee, 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, 2010 through June 30, 2011 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 306025 7

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer, or his designee, is authorized to appropriate and expend an amount not to exceed \$117,173 from Fund No. 200079 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, 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 City's 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. 200079 to Fund No. 200086, and to appropriate and expend that amount for administrative costs incurred by the City in the course of providing administrative services to the Little Italy Maintenance Assessment 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 Mayor, or his designee, 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, 2010 through June 30, 2011 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 306025-8.

BE IT FURTHER RESOLVED, that the City's Chief Financial Officer, or his designee, is authorized to appropriate and expend an amount not to exceed \$8,954 from Fund No. 200055 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, contingent upon approval of the Fiscal Year 2011 Appropriation Ordinance and contingent upon Comptroller certifying that funds are available.

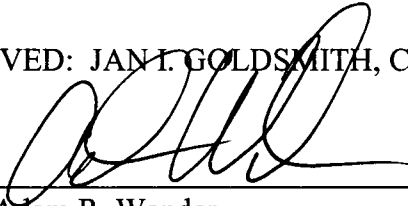
BE IT FURTHER RESOLVED, that the City's Chief Financial Officer, or his designee, is authorized to transfer an amount not to exceed the greater of \$3,500 or four percent (4%) of annual expenditures in the District from Fund No. 200055 to Fund No. 200086, and to appropriate and expend that amount for administrative costs incurred by the City in the course of providing administrative services to the Newport Maintenance Assessment District, contingent



upon approval of the Fiscal Year 2011 Appropriation Ordinance and contingent upon  
Comptroller certifying that funds are available.

APPROVED: JANI GOLDSMITH, City Attorney

By

  
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Adam R. Wander  
Deputy City Attorney

ARW:js  
06/10/10  
Or.Dept:Econ.&Dev't  
R-2011-27

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 *Ana Richard*  
Deputy City Clerk

Approved: 8.5.10  
(date)

*JSL*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

*[Faint, illegible stamp]*