

RESOLUTION NUMBER R- 306957

DATE OF FINAL PASSAGE AUG 4 2011

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.

WHEREAS, Resolution R-300746 approved the Bird Rock Maintenance Assessment District [Bird Rock MAD] 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 a maintenance agreement with the Bird Rock Development Corporation for the administration of contracts for goods and services for the District;

WHEREAS, at the July 26, 2011 City Council meeting, the City Council requested that a Termination for Convenience clause be included in the contract for administration of the District;

NOW, THEREFORE,

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

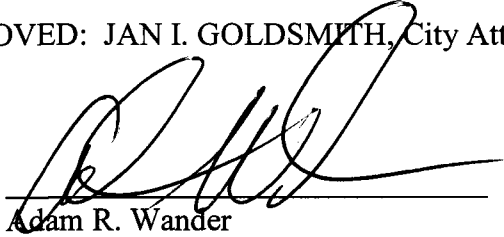
1. That the Mayor is authorized and empowered to execute a maintenance agreement with the Bird Rock Development Corporation (d.b.a. Bird Rock Community Council) for the provision of goods and services in the Bird Rock MAD for a one year period beginning July 1, 2011 through June 30, 2012 in accordance with San Diego Municipal Code section 65.0212,

contingent upon the Chief Financial Officer first furnishing one or more certificates that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

2. That the above maintenance agreement shall include a Termination for Convenience clause.

3. That the Mayor is authorized and empowered to exercise up to four one-year contract extension options with Bird Rock Development Corporation, contingent upon adoption of the resolution authorizing the levy of assessments within the MAD and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and provided that the Chief Financial Officer first furnishes one or more certificates that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Adam R. Wander  
Deputy City Attorney

ARW:js  
07/10/11  
07/28/11 Revised  
Or.Dept: P&R  
R-2012-51  
Doc No. 220533

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 26 2011

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 8.4.11  
(date)

  
JERRY SANDERS, Mayor

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

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JERRY SANDERS, Mayor