

(R-83-609)

RESOLUTION NUMBER R- 257369

Adopted on OCT 25 1982

WHEREAS, in April, 1982, the City Council approved the formation of the Rio Vista Center Assessment District; and

WHEREAS, at that public hearing the City Council approved an agreement with San Diego Gas & Electric Company for utility work required by the Rio Vista Center Subdivision and approved an advanced payment of \$193,141.00 for said utility work; and

WHEREAS, the Council further directed that any rebates from this agreement be deposited in the Assessment District Bond Reserve Fund; and

WHEREAS, the San Diego Gas & Electric Company has informed the City that an error was made in calculating the amount of the advanced payment; and

WHEREAS, an examination of the documentation presented by San Diego Gas & Electric Company confirms that an error was made; and

WHEREAS, the proposed agreement is identical to the agreement previously approved except for the advanced payment amount; and

WHEREAS, Bond Counsel has advised that the rebates received are the result of the proposed agreement should be deposited in a separate fund rather than being deposited in the Assessment District Bond Reserve Fund; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of The City of San Diego, as follows:

1. That the City Manager is hereby authorized to execute a utility agreement with San Diego Gas & Electric Company for the purpose of installing utilities in the Rio Vista Center Subdivision, a copy of which is on file in the office of the City Clerk as Document No. RR- 257369.

2. That the expenditure of \$238,937.00 for the sole and exclusive purpose of providing advance payment to San Diego Gas & Electric Company for the installation of gas distribution facilities is hereby authorized from bond proceeds.

3. That all rebates from said utility agreement be deposited in the Rio Vista Center Assessment District No. 3969 Utility Rebate Fund.

APPROVED: John W. Witt, City Attorney

By



Janis Sammartino Gardner
Deputy City Attorney

JSG:ta:830
10/12/82
Or. Dept: E&D
Aud. Cert: 83268
Form=r.none

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ _____ Fund _____

Purpose _____

Auditor and Comptroller of
The City of San Diego, Calif.

Date _____, 19 _____ By _____

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to exceed \$ 238,937.00

Dated October 12, 19 82

J. J. Holodnak
Auditor and Comptroller of
The City of San Diego, Calif.

BY *Thomas J. Robinson*

* FUND/ DEPT.	ORG. NO.	ACCOUNT	JOB ORDER	BENEFITING DEPARTMENT	FACILITY
<u>79300</u>		<u>4221</u>	<u>001011</u>		

PURPOSE Advance payment for installation of utilities in the Rio Vista Center

VENDOR San Diego Gas & Electric Co.

* USE FUND NO. ONLY WHEN USING GEN. LEDGER & REV. ACCTS., OTHERWISE USE DEPT. NO.

01192

OCT 25 1982

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Raymond L. Ponzecovo, Deputy.

Office of the City Clerk, San Diego, California

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Number _____