

RESOLUTION NUMBER R- 274133

(R-90-99)

ADOPTED ON AUG 01 1989

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO ELECTING TO PAY OUT OF MUNICIPAL FUNDS ONE HUNDRED PERCENT (100%) OF THE AMOUNTS TO BE LEVIED BY THE SAN DIEGO COUNTY WATER AUTHORITY IN LIEU OF TAXES WHICH WOULD OTHERWISE BE LEVIED UPON PROPERTY WITHIN THE CITY, IN LIEU CHARGES AS A CONDITION OF SERVICE, AND IN LIEU PAYMENTS FOR WATER STANDBY AVAILABILITY CHARGES FOR PROPERTY WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 1989, AND ENDING JUNE 30, 1990.

WHEREAS, The Board of Directors of the San Diego County Water Authority ("Authority") will levy a tax upon taxable property within the Authority's jurisdiction for the fiscal year beginning July 1, 1989, and ending June 30, 1990, for the following purposes:

1. Meeting the interest and sinking fund requirements on all outstanding bonded indebtedness of the Authority, including the payment of principal and interest on any outstanding refunding bonds, as well as any unissued bonds, which may have been authorized by the electors of the Authority and which in the judgment of the Board of Directors will be issued prior to the time that money to service such bonds would be available from the next subsequent tax levy;
2. Meeting the obligations of the Authority to the United States of America and any board, department or agency thereof;

3. Meeting special taxes levied upon property in the City pursuant to Section 9 of the County Water Authority Act as prescribed by the terms of the applicable resolution of the Board of Directors fixing conditions for annexation of such area to the Authority;
4. All other Authority purposes; and

**WHEREAS,** this Council did on the 8th day of August, 1988 adopt Resolution No. R-271685 by which the Council declared its intention to pay out of municipal funds one hundred percent (100%) of an amount in lieu of taxes which would otherwise be levied by the Authority upon property within the City and in lieu charges as a condition of service for the fiscal year commencing July 1, 1989, and ending June 30, 1990; and

**WHEREAS,** the San Diego County Water Authority Board of Directors, on July 9, 1987, by Resolution No. 87-21, established a charge as a condition of service against member agencies which made "in lieu" payments in the Fiscal Years 1975-76, 1976-77 and 1977-78; and

**WHEREAS,** The San Diego County Water Authority Board of Directors will assess a water standby availability charge on land within the boundaries of the Authority, to which water is made available by the Authority, for the fiscal year beginning July 1, 1989, and ending June 30, 1990;

**WHEREAS**, there is now available or will be available on the date required, in the appropriate fund of The City of San Diego, a sum sufficient to pay one hundred percent (100%) of the in lieu amounts; **NOW, THEREFORE**,

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

Section 1. The Council hereby elects to pay out of the appropriate fund of the City, the sum not to exceed \$8,000,000.00 and hereby appropriates such sum as payment of one hundred percent (100%) of an amount in lieu of taxes which would otherwise be levied upon property within the City by the San Diego County Water Authority, in lieu charges as a condition of service, and in lieu payments for water standby availability charges for the fiscal year commencing July 1, 1989, and ending June 30, 1990.

Section 2. Payment of the in lieu amounts shall be made on the dates and in the amounts indicated in Section 3 of this resolution for the following purposes:

a. Meeting the interest and sinking fund requirements on outstanding bonded indebtedness, including payment of the principal and interest on any outstanding refunding bonds, as well as any unissued bonds, which may have been authorized by the electors of the Authority and which in the judgment of the Board of Directors will be issued prior to the time that money to service such bonds would be available from the next subsequent tax levy.

b. Meeting the obligations of the Authority of the United States of America and any board, department or agency thereof.

c. And for all other Authority purposes.

Section 3. The following is the schedule of payments to be made:

August 8, 1989 not to exceed	\$2,000,000.00
November 10, 1989 not to exceed	\$2,000,000.00
February 9, 1990 not to exceed	\$2,000,000.00
May 10, 1990 not to exceed	\$2,000,000.00

Section 4. The City Clerk is hereby directed to file immediately with the Comptroller of the Authority a certified copy of this resolution with financial statements of the Water Utilities Department and of the City as required by law to be furnished by the City to the Authority.

APPROVED: John W. Witt, City Attorney

By Jack Katz  
for Ted Bromfield  
Chief Deputy City Attorney

TB:mb  
07/11/89  
Aud.Cert:9000087  
Or.Dept:W.Util  
R-90-99  
Form=hogan

**The City of San Diego**  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE AC 9000087

ORIGINATING DEPT. NO.: 700

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 \$ 15,300,000.00 Fund 40012

Purpose Authorizing the expenditure of Municipal Funds for payments in-lieu taxes and standby charges.

Date July 11, 19 89

By: *Kimberly Ricci*  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		40012	700	208	4859					\$15,300,000.00
TOTAL AMOUNT										\$15,300,000.00

FUND OVERRIDE

**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 \$ \_\_\_\_\_

Vendor \_\_\_\_\_

Purpose \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_

By: \_\_\_\_\_  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

#502 a

AUG 01 1989

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *Jana Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number   274133   Adopted   AUG 01 1989

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CITY CLERK'S OFFICE  
SAN DIEGO, CA

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*[Handwritten signature]*

CLERK OF SUPERIOR COURT

CLERK OF SUPERIOR COURT

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