

RESOLUTION NUMBER R- 286431

ADOPTED ON OCT 10 1995

WHEREAS, the final Mitigated Negative Declaration (DEP File No. 95-0261) has been certified, reviewed and considered by the Council of The City of San Diego prior to approving the San Diego Jack Murphy Stadium Improvements; NOW, THEREFORE,

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

1. That the City Manager be and he is hereby authorized and empowered to approve the programming plans and specifications for the design and construction of the San Diego Jack Murphy Stadium improvements, on file in the office of the City Clerk as Document No. RR- 286431-1.

2. That the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, a First Amendment to the Agreement with HNTB Architects, for additional work for the design/build performance specifications for the San Diego Jack Murphy Stadium Improvement Project ("Project"), under the terms and conditions set forth in the First Amendment to Agreement, on file in the office of the City Clerk as Document No. RR- 286431-2

3. That the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$268,020 from Fund 10332, CIP No. 34-121.0, San Diego Jack Murphy Stadium Improvements, for the purpose of providing funds for additional

work on the Project pursuant to the First Amendment to Agreement with HNTB Architects.

4. That the City Auditor and Comptroller is hereby authorized to transfer and appropriate an amount not to exceed \$300,000 from Fund 10226, Trolley Extension Reserve, to Fund 10332, CIP 34-121.0, San Diego Jack Murphy Stadium Improvements, to provide interim Project funding with the transfer to be repaid from bond proceeds.

5. That the City Auditor and Comptroller is hereby authorized to appropriate and expend an amount not to exceed \$38,532,000 from the San Diego Public Facilities Financing Authority Fund 92510, Stadium and Training Facility Construction Fund, CIP No. 34-121.0, San Diego Jack Murphy Stadium Improvements, for a design/build contract to provide for the construction of the Project, including contingency and other related Project costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that funds necessary for expenditures under said contract are, or will be, on deposit in the City Treasury, and contingent upon the issuance of Lease Revenue Bonds by the San Diego Public Facilities Financing Authority prior to January 31, 1996.

6. That the City Manager be and he is hereby authorized and empowered to recommend to the San Diego Public Facilities Financing Authority the award of the design/build contract to construct the Project to be entered into between the San Diego Public Facilities Financing Authority and the best and lowest economic bidder, based on actual bids received, in an amount not to exceed \$38,532,000, with the City acting as contract

administrator on behalf of the San Diego Public Facilities Financing Authority, contingent upon the issuance of Lease Revenue Bonds by the San Diego Public Facilities Financing Authority prior to January 31, 1996.

7. That the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$2,100,000 from Fund 10332, CIP No. 34-121.0, San Diego Jack Murphy Stadium Improvements, for work through March 31, 1996 on the Project in accordance with the payment schedule contained in the design/build contract, with the expenditure to be reimbursed to Fund 10332 from funds in the Stadium and Training Facility Construction Fund 92510 upon the receipt of bond proceeds.

8. That the City Auditor and Comptroller is hereby authorized to transfer and appropriate an amount not to exceed \$5,000 from Fund 100, Program Reference No. 601651, non-departmental expenses, to CIP No. 34-121.0, San Diego Jack Murphy Stadium Improvements.

APPROVED: JOHN W. WITT, City Attorney

By Kelly J. Salt
Kelly J. Salt
Deputy City Attorney

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Or.Dept:Eng.
Aud.Cert:9600217
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**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE AC 9600217

ORIGINATING DEPT. NO.: 547

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 \$ 2,673,020.00 Fund 10332/10226/100

Purpose Authorizing the expenditure of funds for the San Diego Jack Murphy Stadium Project.

Date August 24, 1995 By: Debra L. Campbell

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	10226	918		4881	017782				\$300,000.00
002	0	100	601	165	4279	601651				5,000.00
003	0	30244	30244	106	4279	341210				2,100,000.00
004	0	30244	30244	106	4279	341210				268,020.00
TOTAL AMOUNT										\$2,673,020.00

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 money 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 _____ 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										

FUND OVERRIDE