

RESOLUTION NUMBER R- 289640

ADOPTED ON JAN 12 1998

WHEREAS, TMP Homes, Inc., a California corporation, entered into a Participation Agreement (Document No. RR-288361) with the City of San Diego and is the developer designing and constructing the South San Diego Pipeline No. 2 and is a partner in the ownership of the Remington Hills development project located in the Otay Mesa area of the City of San Diego; and

WHEREAS, on February 25, 1997, \$206,000 was approved for the funding of Phase I-A, Document No. RR-288361; and

WHEREAS, on June 30, 1997, \$338,494 was approved for the funding of Phase I-B, Document No. RR-288874; and

WHEREAS, a second water pipeline is needed to provide the South San Diego and Otay Mesa areas with a redundant supply of potable water; and

WHEREAS, this Participation Agreement provides for funding of the design and construction of the needed water improvements in three phases. Phase II, designs the final alignment of the pipeline. Phases I and III related to this Participation Agreement will not be covered in this Resolution; and

WHEREAS, the public water system improvements is necessary and are for the benefit of the City as a whole; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and is hereby authorized and empowered, for and on behalf of said City, to approve the commencement of Phase II of the Participation Agreement with TMP Homes, Inc., a California corporation, for the design of the South San Diego Pipeline No. 2.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$627,135 from Water Revenue Fund 41500, to CIP No. 74-249.0, South San Diego Pipeline No. 2.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$627,135 from Water Revenue Fund 41500, CIP No. 73-249.0 is hereby authorized, solely and exclusively for the purpose of providing funds for this phase of the Participation Agreement.

APPROVED: CASEY GWINN, City Attorney

By 

PAUL G. EDMONSON
Deputy City Attorney

PGE:ccm:Civ.
12/2/97
Or.Dept:Dev.Svcs.
Aud.Cert: 9800624
R-98-638
Form=r-t.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 9800624
DEPT. NO.: 760

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 _____

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

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 \$ 627,135.00

Vendor TMP Homes, Inc.

Purpose To authorize the expenditure for the design of the South San Diego Pipeline No. 2- Phase II.

Date November 21, 1997 By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	41500	760	698	4278	181852				\$627,135.00
TOTAL AMOUNT										\$627,135.00

FUND OVERRIDE

AC-361 (REV 2-92)

*Original Aud. Cert.
w/ 0-18460 0-18460*

R-289640

AC 9800624

JAN 12 1998