

RESOLUTION NUMBER R- 290391

ADOPTED ON JUN 29 1998

WHEREAS, TMP Homes, Inc., a California corporation, 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, 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, on February 25, 1997, June 30, 1997, and January 12, 1998, the alignment study and the design phases were approved for this project, Documents, RR-288361, RR-288874 and RR-289640, respectively; and

WHEREAS, this request is for the funding of Phase I Construction of the reservoir repiping and Reach "E"; and

WHEREAS, this Participation Agreement provides for the design, construction and completion of the needed water improvements in three phases as follows: Phase I-A commenced a study for four alternative pipeline alignments. Phase I-B finalized the alignment study. Phase II will design the final pipeline alignment. Phases III will encompass the construction of the project in multiple phases. Phase I Construction will begin upon the execution of this Resolution. It is anticipated that future construction phases will be phased-funded; and

WHEREAS, the public water system improvements is necessary and are for the benefit of the City as a whole. The final payment for Phase III improvements will be made upon the City's

acceptance of the completed project and the submission of the original mylar as-built drawings;

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 Phase I Construction funding for the South San Diego Pipeline No. 2 Participation Agreement with TMP Homes, Inc., a California corporation.

BE IT FURTHER RESOLVED, that the City Auditor is hereby authorized to make the expenditure of an amount not to exceed \$3,400,870 from Water Revenue Fund 41500, CIP No. 73-249.0 for the purpose of providing funds for this project's construction and related costs, and authorizing the Auditor and Comptroller, upon advise from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By 

Paul G. Edmonson
Deputy City Attorney

PGE:pev
6/4/98
Or.Dept:Water
Aud.Cert:9900003
R-98-1433
Form=r-t.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 9900003
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 \$ 3,400,870.00

Vendor TMP Homes, Inc.

Purpose Authorizing the expenditure of funds for South San Diego Pipeline No. 2 Participation Agreement - Phase 1 Construction.

Date June 2, 1998 By: Deha K Mendoya

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	4220	181854				\$3,400,870.00
TOTAL AMOUNT										\$3,400,870.00

FUND OVERRIDE

AC-361 (REV 2-92)

NOTE: Contingent upon the FY99 Appropriation Ordinance being approved. AC 9900003

R-290391

JUN 29 1998