(R-98-1433)

RESOLUTION NUMBER R- 290391 ADOPTED ON JUN 2 9 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 1 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

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 DEPT. NO.: 760

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