

(R-99-677)

RESOLUTION NUMBER R- 291188

ADOPTED ON JAN 19 1999

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to approve and execute, for and on behalf of said City, the First Amendment to Participation Agreement For The Design and Construction of the South San Diego Pipeline No. 2 with TMP Homes, Inc., on file in the office of the City Clerk as Document No. RR- 291188.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to approve the Phase - 2 Design and Construction funding.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$661,825 from Water Revenue Fund No. 41500, CIP No. 73-344.0, South San Diego Reservoir No. 2 to Water Revenue Fund No. 41500, CIP No. 73-249.0, South San Diego Pipeline No. 2.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$20,889,108 from Water Revenue Fund No. 41500, CIP No. 73-249.0 is hereby authorized, for the purpose of providing funds for this project's construction and related costs, provided that the City Auditor first furnishes one or more certificates demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller, upon advice from the administering department is hereby authorized to transfer excess budgeted funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized to establish contract funding phases for this agreement provided that the City Auditor first furnish a certificate demonstrating that the funds necessary for expenditure under said contract are, or will be, on deposit in the City Treasury.

APPROVED: CASEY GWINN, City Attorney

By 

PAUL G. EDMONSON,  
Deputy City Attorney

PGE:kjk:Civ.  
12/02/98  
Aud.Cert:  
Or.Dept:Water Dept.  
R-99-677  
Form=auagr.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING AC 9900671  
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 45,000.00 Fund 41500

Purpose Authorizing the increase of funds for design and construction of the South San Diego Pipeline

No. 2 - Phase II.

Date December 21, 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	391010	4278	181851				\$45,000.00
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 \$ 2,688,686.00

Vendor TMP Homes, Inc.

Purpose Authorizing the increase of funds for design and construction of the South San Diego Pipeline

No. 2 - Phase II Participation Agreement.

Date December 21, 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
2	0	41500	760	391040	4278	181854				\$2,688,686.00
TOTAL AMOUNT										\$2,733,686.00

FUND OVERRIDE

*R* 291188

JAN 19 1999

AC 9900671