

RESOLUTION NUMBER R- 291916

ADOPTED ON JUL 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 execute, for and on behalf of said City, the Participation Agreement for the design and construction of the Black Mountain Reservoir, Pipeline, and Pressure Reducing Facility (Black Mountain Reservoir Participation Agreement) with the Black Mountain Ranch Developers, LLC, a Delaware Limited Liability Company, on file in the office of the City Clerk as Document No. RR- 291916.

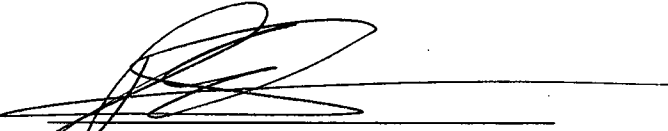
BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$16,470,000 from Water Revenue Fund No. 41500, CIP No. 73-216.0, for the purpose of providing funds for this project's construction and related costs, provided that the City Auditor first furnishes one or more certificates demonstrating 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:mr
06/28/99
Aud.Cert:2000020
Or.Dept: Water Dept.
R-99-1576
Form=auagr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 2000020
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 50,000.00 Fund 41500

Purpose Authorizing the expenditure of funds for construction of the Black Mountain Reservoir.

Date June 25, 1999 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	391	4278	184921				\$50,000.00
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 \$ 14,627,907.00

Vendor Black Mountain Ranch Developers, LLC

Purpose Authorizing the expenditure of funds for construction of the Black Mountain Reservoir.

Date June 25, 1999 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	184924				\$14,627,907.00
TOTAL AMOUNT										\$14,677,907.00

FUND OVERRIDE

AC-361 (REV 2-92)

CONTINGENT UPON APPROVAL OF THE FY2000 APPROPRIATION ORDINANCE

R-291916

JUL 19 1999

AC2000020