RESOLUTION NUMBER R- 293583 (R-2001-31)

ADOPTED ON JUL 31 2000

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is authorized and empowered to execute, for and on behalf of said City, a Participation Agreement with Otay Project L.P., a California Limited Partnership, for the design and construction of a portion of the Otay 2nd Pipeline, under the terms and conditions set forth in the agreement on file in the office of the City Clerk as Document No. RR
293583

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to expend an amount not to exceed \$717,950 from Water Revenue Fund 41500, CIP No. 73-286.0, for the purpose of funding this agreement.

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

APPROVED: CASEY GWINN, City Attorney

 $\mathbf{B}\mathbf{y}$

Catherine Bradley

Deputy City Attorney

CB:cdk 07/10/00

Aud.Cert:2100043

Or.Dept:Water

R-2001-31

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: 2100043

Purpose By: AUDITOR AND COMPTROLLER'S DEPARTMENT
Date By: AUDITOR AND COMPTROLLER'S DEPARTMENT
AUDITOR AND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA TOTAL AMOUNT TOTAL AMOUNT FUND OVER CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the control authorized by the hereto attached resolution, can be incurred without the violation of any visions of the Charter of the City of San Diego; and I do hereby further certify, in conformity we irrements of the Charter of the City of San Diego; and I do hereby further certify, in conformity we irrements of the Charter of the City of San Diego; that sufficient moneys have been appropriated bose of said contract, that sufficient moneys to meet the obligations of said contract are actually assury, or are anticipated to come into the Treasury, to the credit of the appropriation from white are to be drawn, and that the said money now actually in the Treasury, together with the nicipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered to to to Exceed \$ 717,950.00 Total AMOUNT ACCOUNTING DATA ACCO
ACCOUNTING DATA TOTAL AMOUNT TOTAL AMOUNT TOTAL AMOUNT FUND OVER CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract authorized by the hereto attached resolution, can be incurred without the violation of any visions of the Charter of the City of San Diego; and I do hereby further certify, in conformity interements of the Charter of the City of San Diego; and I do hereby further certify, in conformity authorized by the hereto attached resolution, can be incurred without the violation of any visions of the Charter of the City of San Diego; and I do hereby further certify, in conformity authorized by the hereto attached resolution, can be incurred without the violation of any visions of the Charter of the City of San Diego; that sufficient moneys have been appropriated be one of said contract, that sufficient moneys to meet the obligations of said contract are actually assury, or are anticipated to come into the Treasury, to the credit of the appropriation from whi are to be drawn, and that the said money now actually in the Treasury, together with the nicipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered lot to Exceed \$ 717,950.00 The company of the Charter of the Otay Second Pipeline, contingent upon passage of the Authorizing the expenditure of funds for the purpose of funding a participation agreement of design and construction of the Otay Second Pipeline, contingent upon passage of the July 7, 2000 By: Della July 7, 2000 By: Della July 7, 2000 Bendor Otay Project L.P. ALUDITION DEPT FACILITY AMOUNT ORDER ACCOUNT BOATA ACCOUNTING DATA ACCOUNTING DA
TOTAL AMOUNT TOTAL AMOUNT FUND OVER CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contribution of the Charter of the City of San Diego; and I do hereby further certify, in conformity we interements of the Charter of the City of San Diego; and I do hereby further certify, in conformity we interements of the Charter of the City of San Diego; and I do hereby further certify, in conformity we interement of the Charter of the City of San Diego; and I do hereby further certify, in conformity we interement of the Charter of the City of San Diego; and I do hereby further certify, in conformity we interement of the Charter of the City of San Diego; and I do hereby further certify, in conformity we interement of said contract, that sufficient moneys to meet the obligations of said contract are actually assury, or are anticipated to come into the Treasury, to the credit of the appropriation from which is a said money now actually in the Treasury, together with the next of the come into the Treasury, to the credit of said appropriation, are otherwise unencumbered of to Exceed \$ 717,950.00 endor Otay Project L.P. urpose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the Company of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. By: Delicy Facility Amount Account Source Recount Security Facility Amount of the Purpose Account Security Facility Amount Recount Security Facility Amount Recount Found Recount Found Facility Amount Facility Amount Facility Amount Facility Amount Facility Facility Facility Amount Facility Faci
CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract authorized by the hereto attached resolution, can be incurred without the violation of any risions of the Charter of the City of San Diego; and I do hereby further certify, in conformity we interest of the Charter of the City of San Diego, that sufficient moneys have been appropriated boses of said contract, that sufficient moneys to meet the obligations of said contract are actually assury, or are anticipated to come into the Treasury, to the credit of the appropriation from white are to be drawn, and that the said money now actually in the Treasury, together with the notipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered of to Exceed \$ 717,950.00 endor Otay Project L.P. urpose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. ate July 7, 2000 By: Bulk July 1 AMOUNT ACCOUNTING DATA AMOUNT
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contribution of the Charter of the City of San Diego; and I do hereby further certify, in conformity we incernents of the Charter of the City of San Diego; and I do hereby further certify, in conformity we incernents of the Charter of the City of San Diego, that sufficient moneys have been appropriated so cose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the area to be drawn, and that the said money now actually in the Treasury, together with the noticipated to come into the Treasury, to the credit of the appropriation from which is a come into the Treasury, to the credit of said appropriation, are otherwise unencumbered not to Exceed \$ 717,950.00 The composed Authorizing the expenditure of funds for the purpose of funding a participation agreement of the design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. The composed Authorizing Dept or the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. The composed Authorizing Dept or the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. The composed Account of the Otay Second Pipeline, contingent upon passage of the Account of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. The property of the Otay Second Pipeline, account of the Otay
CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contrement authorized by the hereto attached resolution, can be incurred without the violation of any isions of the Charter of the City of San Diego; and I do hereby further certify, in conformity wirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated oose of said contract, that sufficient moneys to meet the obligations of said contract are actually sury, or are anticipated to come into the Treasury, to the credit of the appropriation from white are to be drawn, and that the said money now actually in the Treasury, together with the nipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered by the Exceed \$ 717,950.00 Endor Otay Project L.P. Surpose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. By: Delectric Department of Computation and
CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contrement authorized by the hereto attached resolution, can be incurred without the violation of any sions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with rements of the Charter of the City of San Diego, that sufficient moneys have been appropriated once of said contract, that sufficient moneys to meet the obligations of said contract are actually sury, or are anticipated to come into the Treasury, to the credit of the appropriation from which is are to be drawn, and that the said money now actually in the Treasury, together with the nipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered by the Exceed \$ 717,950.00 Endor Otay Project L.P. Impose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the Exceed \$ 717,950.00 Endor Otay Project L.P. Impose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the Exceed \$ 717,950.00 Endor Otay Project L.P. Impose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the Exceed \$ 717,950.00 Endor Otay Project L.P. Impose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the Exceed \$ 717,950.00 Endor Otay Project L.P. Impose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the Exceed \$ 717,950.00 Endor Otay Project L.P. In participation to be incurred without the violation of the City of San Diego, and I do hereby further certify, in conformity without the violation of any the contract of
CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contrement authorized by the hereto attached resolution, can be incurred without the violation of any sions of the Charter of the City of San Diego; and I do hereby further certify, in conformity we rements of the Charter of the City of San Diego, that sufficient moneys have been appropriated once of said contract, that sufficient moneys to meet the obligations of said contract are actually sury, or are anticipated to come into the Treasury, to the credit of the appropriation from which is are to be drawn, and that the said money now actually in the Treasury, together with the nipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered by the Exceed \$ 717,950.00 Endor Otay Project L.P. Impose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. By: Delication Competed Leasure Separation and Competed Com
CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contrement authorized by the hereto attached resolution, can be incurred without the violation of any sions of the Charter of the City of San Diego; and I do hereby further certify, in conformity we rements of the Charter of the City of San Diego, that sufficient moneys have been appropriated once of said contract, that sufficient moneys to meet the obligations of said contract are actually sury, or are anticipated to come into the Treasury, to the credit of the appropriation from which is are to be drawn, and that the said money now actually in the Treasury, together with the nipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered by the Exceed \$ 717,950.00 Endor Otay Project L.P. Impose Authorizing the expenditure of funds for the purpose of funding a participation agreement of the design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. By: Delication Competed Leasure Separation and Competed Com
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contrement authorized by the hereto attached resolution, can be incurred without the violation of any sions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with irements of the Charter of the City of San Diego, that sufficient moneys have been appropriated ose of said contract, that sufficient moneys to meet the obligations of said contract are actually sury, or are anticipated to come into the Treasury, to the credit of the appropriation from white are to be drawn, and that the said money now actually in the Treasury, together with the nipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered on to Exceed \$\frac{717,950.00}{217,950.00}\$ Authorizing the expenditure of funds for the purpose of funding a participation agreement of the design and construction of the Otay Second Pipeline, contingent upon passage of the appropriation agreement of the Dipy funding a participation agreement of the Dipy funding and construction of the Otay Second Pipeline, contingent upon passage of the appropriation agreement of the Dipy funding data and construction of the Otay Second Pipeline, contingent upon passage of the appropriation agreement of the Dipy funding data and construction of the Otay Second Pipeline, contingent upon passage of the appropriation agreement of the Dipy funding data and construction of the Otay Second Pipeline, contingent upon passage of the appropriation agreement of the Dipy funding data and construction of the Otay Second Pipeline, contingent upon passage of the appropriation agreement of the Dipy funding data and construction of the Otay Second Pipeline, contingent upon passage of the appropriation agreement of the Dipy funding data and construction of the Otay Second Pipeline, contingent upon passage of the appropriation agreement of the Dipy funding data and construction of the Otay Second Pipeline, contingent upon passage of the appropriatio
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contrement authorized by the hereto attached resolution, can be incurred without the violation of any sions of the Charter of the City of San Diego; and I do hereby further certify, in conformity we rements of the Charter of the City of San Diego, that sufficient moneys have been appropriated use of said contract, that sufficient moneys to meet the obligations of said contract are actually sury, or are anticipated to come into the Treasury, to the credit of the appropriation from which are to be drawn, and that the said money now actually in the Treasury, together with the new pated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered at to Exceed \$\frac{717,950.00}{717,950.00}\$ Indoor Otay Project L.P. The Authorizing the expenditure of funds for the purpose of funding a participation agreement of the design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. By: Belling Comptroller's Department Accounting Department of the Otay Order of Order of Order of Order of Pipeline accounting Department of Department of Order of O
endor Otay Project L.P. Irpose Authorizing the expenditure of funds for the purpose of funding a participation agreement of design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. By: Bell Weller Auditorand Comptroller's Department Accounting DATA ACCOUNTING DATA G. CY FUND DEPT ORG. ACCOUNT ORDER ACCOUNT EQUIP FACILITY AMOUNT
Authorizing the expenditure of funds for the purpose of funding a participation agreement for design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. By: Bell Welle Auditorard comptroller's department ACCOUNTING DATA ACCOUNTING DATA ACCOUNTING DATA ACCOUNT ORDER ACCOUNT EQUIP FACILITY AMOUNT
design and construction of the Otay Second Pipeline, contingent upon passage of the FY 2001 CIP Budget. By: Roberty Weller Auditorand comptroller's department ACCOUNTING DATA G. CY PY FUND DEPT ORG. ACCOUNT ORDER ACCOUNT EQUIP FACILITY AMOUNT
FY 2001 CIP Budget. By: Bell Uelle AUDITORAND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA G. CY FY FUND DEPT ORG. ACCOUNT ORDER ACCOUNT EQUIP FACILITY AMOUNT
By: Beck Welle Auditorald comptroller's department ACCOUNTING DATA G. CY PY FUND DEPT ORG. ACCOUNT ORDER ACCOUNT EQUIP FACILITY AMOUNT
AUDITOR AND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA G. CY JOB OPERATION BENF/ E PY FUND DEPT ORG. ACCOUNT ORDER ACCOUNT EQUIP FACILITY AMOUNT
ACCOUNTING DATA G. CY FUND DEPT ORG. ACCOUNT ORDER ACCOUNT EQUIP FACILITY AMOUNT
G. CY JOB OPERATION BENF/ E PY FUND DEPT ORG. ACCOUNT ORDER ACCOUNT EQUIP FACILITY AMOUNT
The state of the s
\$717,9
TOTAL AMOUNT \$717,95