

RESOLUTION NUMBER R- 294344 (R-2001-683)

ADOPTED ON DEC 05 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 First Amendment to the Participation Agreement for the Design and Construction of the Black Mountain Potable Water Reservoir with Santaluz, LLC, a Delaware limited liability company, a copy of which is on file in the office of the City Clerk as Document No. RR- 294344.

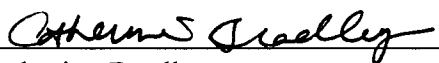
BE IT FURTHER RESOLVED, that the City Manager is authorized to establish contract funding phases for this agreement.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$438,455 from CIP 73-342.0, Rancho Bernardo Pump Station No. 2, to CIP 73-216.0, Black Mountain Reservoir.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to expend an amount not to exceed \$2,227,582 from CIP 73-261.0, Black Mountain Reservoir, and to expend an amount not to exceed \$857,000 from CIP 70-954.0, Black Mountain Ranch Reclaimed Waterlines for design services and related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that 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 City Auditor and Comptroller is authorized,
upon advice from the administering department, to transfer excess funds, if any, to the
appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By 
Catherine Bradley
Deputy City Attorney

CB:cdk
10/19/00
Aud.Cert: 2100554
Or.Dept: Water
R-2001-683

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: AC 2100554
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 \$ 1,295,455.00

Vendor Santaluz, LLC

Purpose Authorizing the expenditure of funds for the first amendment to the participation agreement

for the design and construction of the Black Mountain Potable Water Reservoir.

Date November 6, 2000 By: *José R. Matos*

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 | 391040 | 4278 | 184921 | | | | \$25,355.00 |
| 2 | 0 | 41500 | 760 | 391040 | 4278 | 184924 | | | | 413,100.00 |
| 3 | 0 | 41500 | 760 | 391040 | 4278 | 186091 | | | | 55,000.00 |
| 4 | 0 | 41500 | 760 | 391040 | 4278 | 186104 | | | | 802,000.00 |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$1,295,455.00 |

FUND OVERRIDE

R-294344

DEC 05 2000

AC 2100554