

(R-2001-1396)
(REVISED)

RESOLUTION NUMBER R- 294876

ADOPTED ON MAY 22 2001

WHEREAS, the construction of State Route 56 - Carmel Valley to Black Mountain Road (SR-56) is a high priority transportation project which will provide a critical east/west link in the northern part of the City, connecting Interstates 5 and 15; and

WHEREAS, the project is jointly funded by the City, County, State of California, and SANDAG; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized to request advance funding from SANDAG through the commercial paper program in an amount not to exceed \$2,116,559;

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute any necessary documents relating to the receipt of said funds from SANDAG;

BE IT FURTHER RESOLVED, that the City will be responsible for paying its share of interest and administrative costs for the TransNet commercial paper program, that these costs will be deducted from normal TransNet payments, and that setting the repayment of these funds on schedule will be the first priority use of future TransNet revenues;

BE IT FURTHER RESOLVED, that the City will repay to SANDAG the principal amount of \$2,116, 559 prior to Fiscal Year 2007, contingent upon the City Auditor certifying that funds are available;

BE IT FURTHER RESOLVED, that the City Auditor and comptroller is hereby authorized to increase the FY 2001 Capital Improvements Program budget to increase appropriation by \$5,113,920 in CIP 52-463.0, "State Route 56 - Carmel Valley to Black Mountain Road," by appropriating \$2,997,361 from Fund No. 10515 and \$2,116,559 from TransNet Commercial Paper Fund 30306;

BE IT FURTHER RESOLVED, that the City is hereby authorized to expend \$4,382,818 from CIP 52-463.0, State Route 56 - Carmel Valley to Black Mountain Road," of which \$2,266,259 is from Fund 10515 and \$2,116, 559 from Fund 30306 - TransNet Commercial Paper for the purposes of funding mitigation requirements, right-of-way acquisition, and other expenses to accommodate State Route 56 being graded as a six-lane facility at this time;

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to pay \$302,243 from CIP 52-463.0, "State Route 56 - Carmel Valley to Black Mountain Road," to Habitat Acquisition Fund 10571;

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute an Agreement with Dudek and Associates, Inc., in an amount not to exceed \$212,416 for professional wetland/mitigation/restoration design and permitting services for CIP 52-463.0, "State Route 56 - Carmel Valley to Black Mountain Road;" upon terms and conditions that are on file in the office of the City Clerk as Document No. RP-294876-1

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute an Eighth Amendment to Agreement with Boyle Engineering Corporation, in an amount not to exceed \$525,846 for professional engineering services, of which \$7,160 is from Water Fund 41500, CIP 70-954.0, Black Mountain Ranch Reclaimed Water Pipeline, and \$518,686 is from CP 52-463.0, "State Route 56 - Carmel Valley to Black Mountain Road;" copy on file in the office of the City Clerk s Document No. RR-294876-2;

BE IT FURTHER RESOLVED, that the City is authorized to expend \$162,760.11 from Water Fund 41500, CIP 70-954.0, Black Mountain Ranch Reclaimed Water Pipeline, for related in-house costs and construction of CIP 52-463.0, "State Route 56 - Carmel Valley to Black Mountain Road;"

BE IT FURTHER RESOLVED, that the Fiscal Year 2001 Capital Improvements Program budget is amended by adding CIP 52-703.0, "State Route 56 - Debt Service;"

BE IT FURTHER RESOLVED, that the City Manager is directed to process a future amendment to the Del Mar Mesa Financing Plan for the repayment of FBA funds of \$1,030,000 from CIP 52-703.0, "State Route 56 - Debt Service," Fund 79010, for purposes of reimbursing TransNet \$230,000 in Fiscal Year 2003 and \$800,000 in Fiscal Year 2005, or at the earliest possible time thereafter; and the City Auditor and Comptroller is authorized to appropriate and expend for the repayment of \$1,030,000 from CIP 52-703.0, "State Route 56- Debt Service," Fund 79010, contingent upon the City Auditor certifying that funds are available; and

BE IT FURTHER RESOLVED, that the City Manager is directed to process a future amendment to Torrey Highlands Financing Plan for the repayment of FBA funds of \$431,673 from CIP 52-703.0, "State Route 56 - Debt Service," Fund 39069, for purposes of reimbursing TransNet in Fiscal Year 2004, or at the earliest possible time thereafter; and the City Auditor and

Comptroller is authorized to appropriate and expend for the repayment of \$431,673 from CIP 52-703.0, "State Route 56- Debt Service," Fund 39069, contingent upon the City Auditor certifying that funds are available;

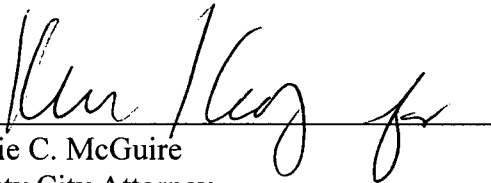
BE IT FURTHER RESOLVED, that the City Manager is directed to process a future amendment to the Black Mountain Ranch Financing Plan for the repayment of FBA funds of \$544,340 from CIP 52-703.0, "State Route 56 - Debt Service," Fund 79012, for purposes of reimbursing TransNet in the Fiscal Year 2005, or at the earliest possible time thereafter; and the City Auditor and Comptroller is authorized to appropriate and expend for the repayment of \$544,340 from CIP 52-703.0, "State Route 56- Debt Service," Fund 79012, contingent upon the City Auditor certifying that funds are available; and

BE IT FURTHER RESOLVED, that the City Manager is directed to process a future amendment to the Pacific Highlands Ranch Financing Plan for the repayment of FBA funds of \$486,365 from CIP 52-703.0, "State Route 56 - Debt Service," Fund 79011, for purposes of reimbursing TransNet in the Fiscal Year 2005, or at the earliest possible time thereafter; and the City Auditor and Comptroller is authorized to appropriate and expend for the repayment of \$486,365 from CIP 52-703.0, "State Route 56- Debt Service," Fund 79011, contingent upon the City Auditor certifying that funds are available; and

BE IT FURTHER RESOLVED, that the City Manager is directed to process future amendments to the respective financing plans for the project entitled "Widening of State Route 56 to six lanes;" in the Torrey Highlands Financing Plan such that \$5,468,327 is programmed in

Fiscal Year 2009; in the Black Mountain Ranch Financing Plan such that \$7,555,660 is programmed in Fiscal Year 2010; and, in the Pacific Highlands Financing Plan such that \$7,213,635 is programmed in Fiscal Year 2013.

APPROVED: CASEY GWINN, City Attorney

By 
Cristie C. McGuire
Deputy City Attorney

CCM:jp
04/13/01
05/02/01 COR.COPY
05/24/01 REVISED
Or.Dept:E&CP
Aud.Cert: 2101097
R-2001-1396
Form=r-t.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2101097
ORIGINATING DEPT. NO.: 547

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 4,545,578.11 Fund 41500/30244

Purpose Authorizing the expenditure of funds for construction and related in-house costs for CIP 70-954.1 Black Mountain Ranch reclaimed Water Pipeline; and
Authorizing the expenditure of funds for mitigation requirements, right-of-way acquisition, and other expenses to accommodate State Route 56, CIP 52-463.0.

Date April 27, 2001

By: *Diane M. Shea*
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	186441				\$100,000.00
2	0	41500	760	391040	4278	186444				62,760.11
3	0	30244	30244	107	4279	524630				4,382,818.00
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 \$ 738,262.00

Vendor Dudek and Associate (line # 4) / Boyle Engineering Corporation (line # 5 and line #6)

Purpose Authorizing the expenditure of funds for professional services for State Route 56.

Date April 27, 2001

By: *Diane M. Shea*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
4	0	30244	30244	107	4279	524630				\$212,416.00
5	0	30244	30244	107	4279	524630				518,686.00
6	0	41500	760	391020	4278	186442				7,160.00
TOTAL AMOUNT										\$5,283,840.11

FUND OVERRIDE

R- 294876

MAY 22 2001

AC 2101097