

RESOLUTION NUMBER R- 295746

ADOPTED ON NOV 19 2001

WHEREAS, on February 25, 1997, the Council of the City of San Diego approved a Participation Agreement with TMP Homes, Inc. (now known as Stowe-Passco Development, Inc.), a California corporation, for the design and construction of the South San Diego Pipeline No. 2 [the Participation Agreement], as more particularly described in the agreement on file in the office of the City Clerk as Document No. RR-288361; and

WHEREAS, on January 19, 1999, a First Amendment to the Participation Agreement was approved and filed in the office of the City Clerk as Document No. RR-291188; and

WHEREAS, a Second Amendment to the Participation Agreement is necessary to authorize the expenditure of additional construction funding for the South San Diego Pipeline No. 2; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the City Manager is authorized and empowered to execute, for and on behalf of said City, a phase funded Second Amendment to the South San Diego Pipeline No. 2 Participation Agreement with Stowe-Passco Development, Inc., a California corporation, as more particularly described in the second amendment on file in the office of the City Clerk as Document No. RR- 295746.


2. That the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$2,042,230 from Water Fund 41500, CIP No. 73-248.0, Pomerado Pipeline No. 2, to Water Fund 41500, CIP No. 73-249.0, South San Diego Pipeline No. 2.

3. That the City Auditor and Comptroller is authorized to expend an amount not to exceed \$7,473,143 from Water Fund 41500, CIP No. 73-249.0, for providing funds for this project's construction and related costs provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.

4. That the City Auditor and Comptroller is authorized to expend an amount not to exceed \$150,590 from Southeastern Economic Development Corporation [SEDC] Fund 30244, CIP No. 52-677.0, for providing funds for this project's construction provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

5. 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

By: 
Catherine Bradley
Deputy City Attorney

CB:vl
11/06/01
Or.Dept:Water/CIP
Aud.Cert:2200513;2200515
R-2002-622

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2200515
ORIGINATING 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 2,569,572.00 Fund 41500/102383

Purpose Authorize the expenditure of funds from South San Diego Pipeline No.2 - CIP 732490 and from Imperial Ave/Ocean View Blvd Street Improvements Phase I - CIP 526770.

Date November 02, 2001 By: 

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	4240	181854				\$2,754,700.00
2	0	30244	30244	107	4220	526770		102383		150,590.00
TOTAL AMOUNT										\$2,905,290.00

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 \$ _____

Vendor _____

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

R295746

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2200513
ORIGINATING 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 185,128.00 Fund 41500

Purpose Authorizing the transfer and expenditure of funds from Pomerado Pipeline No. 2 - CIP 732480 to South San Diego Pipeline No. 2 - CIP 732490.

Date November 02, 2001 By: 

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	732480				\$2,042,230.00
TOTAL AMOUNT										\$2,042,230.00

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 \$ _____

Vendor _____

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										

R-295746