

RESOLUTION NUMBER R- 298505 (R-2004-301)

ADOPTED ON OCT 20 2003

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO APPROVING THE FBA CREDIT AND
REIMBURSEMENT AGREEMENT WITH D.R. HORTON SAN
DIEGO HOLDING COMPANY FOR PROCESSING
ENVIRONMENTAL DOCUMENTATION ASSOCIATED WITH
CAMINO RUIZ.


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 the City, the FBA Credit and Reimbursement Agreement with D.R. Horton San Diego Holding Company, Inc. for the Processing of Environmental Documentation Associated with Camino Ruiz (Projects No. T-2.1 and T-2.2), under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 298505, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$84,314.30 from FBA Fund Number 79015, CIP No. 52-725.0, consistent with the timing established in the most recently adopted Torrey

Highlands Public Facilities Financing Plan, contingent upon the Auditor and Comptroller certifying that the funds necessary for said agreement will be on deposit in the City Treasury.

APPROVED: CASEY GWINN, City Attorney

By



Deborah Engel-Brodie
Deputy City Attorney

DEB:cdk

09/09/03

Aud.Cert:2400277

Or.Dept:Planning

R-2004-301

Form=auagr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2400277

ORIGINATING


DEPT. NO.:

65

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: \$9,630,685.70 Fund: 30244/107

Purpose: to authorize the expenditure of funds for the construction of Camino Ruiz

Date: September 5, 2003 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
2	1	30244	30244	107	4279	527250					\$9,630,685.70
TOTAL AMOUNT											\$9,630,685.70
											FUND OVERRIDE <input type="checkbox"/>


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: \$84,314.30

Vendor: D.R. Horton San Diego Holding Company

Purpose: To authorize the expenditure of funds for the reimbursement agreement associated with the construction of Camino Ruiz

Date: September 5, 2003 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	30244	30244	107	4279	527250					\$84,314.30
TOTAL AMOUNT											\$84,314.30
											FUND OVERRIDE <input type="checkbox"/>

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2400277

R - 298505

OCT 20 2003