

RESOLUTION NUMBER R- 298755

ADOPTED ON JAN 13 2004

A 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 DEL MAR HEIGHTS PIPELINE RELOCATION.

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 FBA Credit and Reimbursement Agreement with D.R. Horton San Diego Holding Company for Del Mar Heights Pipeline Relocation, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 298755, 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.

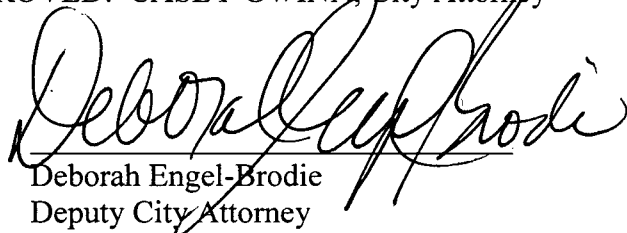
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to amend the Fiscal Year 2004 Capital Improvement Project Budget by adding CIP No. 70-965.0, Del Mar Heights Pipeline Relocation.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$1,574,494.43 from Facilities Benefit Assessment Fund 79015, CIP 70-965.0, Del Mar Heights Pipeline Relocation, for the purpose of providing funds for the above-referenced project, consistent with the timing established in the most

recently adopted Torrey Highlands Public Facilities Financing Plan, contingent upon the Auditor and Comptroller certifying that those funds are on deposit in the City Treasury.

APPROVED: CASEY GWINN City Attorney

By



Deborah Engel-Brodie
Deputy City Attorney

DEB:cdk

12/09/03

Or.Dept: Planning/Fac. Fin.

Aud.Cert: 2400461

R-2004-445

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2400461
DEPT. _____
NO. 30244

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: \$1,574,494.43 Fund: 79015

Purpose: Authorizing the appropriation and expenditure of funds for Reimbursement Agreement with D.R. Horton San Diego Holding Company for Del Mar Heights Road Pipeline Relocation, CIP 709650.

Date: October 24, 2003

By: *Yeshi Bezu*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	79015			9544					\$1,574,494.43
TOTAL AMOUNT										\$1,574,494.43

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

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