

RESOLUTION NUMBER R- 300128

ADOPTED ON FEB 14 2005

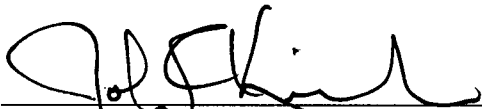
BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, Utility Agreement 26325-07 with Otay River Constructors [ORC], to reimburse \$318,602 in City costs for relocation of Otay II and III Pipelines within the Caltrans State Route 125 right-of-way, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 300128.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$38,720 from Water Fund 41500, CIP No. 73-216.0, Black Mountain Ranch Reservoir to Water Fund 41500, CIP No. 73-024.0, Annual Allocation – Freeway Relocations.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$318,602 from Water Fund 41500, CIP No. 73-024.0, Annual Allocation – Freeway Relocations, is authorized for the purpose of providing funds for the Utility Agreement and related in-house engineering costs, provided that the City Auditor and Comptroller first furnishes one or more certificates that funds are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
John F. Kirk  
Deputy City Attorney

JFK:sc  
02/01/05  
Aud.Cert:AC2500696  
Or.Dept:Water  
R-2005-790

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2500696

DEPT. NO.: 773

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: \$313,220.00 Fund: 41506

Purpose: Authorizing the transfer of \$38,720, and the expenditure of funds of \$274,500 for the construction of the Utility Agreement for Relocation of Potable Waterlines within State Route 125.

Date: January 28, 2005 By: *Paul Barrera*  
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	184920				38,720.00
2	0	41500	760	391	4278	730240				269,500.00
3	0	41500	760	391	4278	188530				5,000.00
TOTAL AMOUNT										\$313,220.00

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: \$44,102.00

Vendor: Otay River Constructors (ORC)

Purpose: Authorizing the expenditure of funds for the construction of the Utility Agreement for Relocation of Potable Waterlines within State Route 125.

Date: January 28, 2005 By: *Paul Barrera*  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
3	0	41500	760	391	4240	188534				\$44,102.00
TOTAL AMOUNT										\$44,102.00

FUND OVERRIDE

AC-361 (REV 2-92)

*R* - 300128

FEB 14 2005

AC 2500696