

202 (A)  
(R-2006-828)  
5/8/06

RESOLUTION NUMBER R- 301422

DATE OF FINAL PASSAGE MAY 11 2006

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING FUNDS, PLANS AND SPECIFICATIONS; AND PROPERTY ACQUISITION FOR TORREY DEL MAR NEIGHBORHOOD PARK.

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

1. That the plans and specification for the construction of Torrey Del Mar Neighborhood Park [Project], filed in the office of the City Clerk as Document No. W.D. 295460, are approved.

2. That, after advertising for bids in accordance with law, the Mayor is authorized to execute a construction contract with the lowest responsible and reliable bidder, and the City Auditor and Comptroller is authorized, upon advice from the administering department, to return excess budgeted funds, if any, to the appropriate reserves.

3. That the Fiscal Year 2006 Torrey Highlands Public Facilities Financing Plan, CIP No. 29-546.0 for Torrey Del Mar Neighborhood Park is amended by increasing the appropriation amount by \$1,394,658.

4. That the Fiscal Year 2006 Capital Improvements Program Budget for CIP No. 29-546.0, Torrey Del Mar Neighborhood Park is amended by increasing the budget amount by \$1,394,658 from Fund No. 79015 Torrey Highlands Facilities Benefits Assessment.

5. That the appropriation and expenditure of an amount not to exceed \$1,394,658 from CIP No. 29-546.0, Torrey Del Mar Neighborhood Park, Fund No. 79015 Torrey Highlands Facilities Benefit Assessment, is authorized solely and exclusively for the purpose of providing

funds for the Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

6. That the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$258,784 from CIP No. 29-427.0, Black Mountain Ranch Community Park – Acquisition and Development to CIP No. 29-546.0, Torrey Del Mar Neighborhood Park within Fund No. 39069, Torrey Highlands Planned Urbanizing Development Impact Fees.

7. That the appropriation and expenditure of an amount not to exceed \$258,784 from CIP No. 29-546.0, Torrey Del Mar Neighborhood Park, Fund No. 39069 Torrey Highlands Planned Urbanizing Development Impact Fees, is authorized solely and exclusively for the purpose of providing funds for the Torrey Del Mar Neighborhood Park, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

8. That the acquisition of a 1.4 +/- acre parcel, being a portion of Parcel 2 of Parcel Map No. 147568, as required for the completion of Torrey Del Mark Neighborhood Park, is authorized.

9. That the expenditure of an amount not to exceed \$560,000 from CIP No. 29-546.0, Torrey Del Mar Neighborhood Park, Fund No. 79015 is authorized for the acquisition of property and related closing costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

10. That the expenditure of an amount not to exceed \$2,070,558 from CIP

No. 29-546.0, Torrey Del Mar Neighborhood Park, Fund No. 39069, (\$528,768 from the Torrey Highlands Planned Urbanizing Development Impact Fees, and \$1,541,774 from Fund No. 79015, Torrey Highlands Facilities Benefit Assessments), is authorized for the construction of Torrey Del Mar Neighborhood Park and related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
04/25/06  
Or.Dept:Park&Rec.  
R-2006-828  
MMS#2017  
**Aud.Cert: 2600731**

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 08 2006.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 5-11-06  
(date)

[Signature]  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2600731  
DEPT. NO. 446

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: \$1,653,442.00 Fund: 79015/39069

Purpose: Authorizing the appropriation and expenditure of funds for Torrey Del Mar Neighborhood Park, CIP 295460.

Date: April 10, 2006

By: Yeshi Bezuneh  
*Yeshi Bezuneh*  
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					\$1,394,658.00
002	0	30244	30244	105	4279	294270				258,784.00
TOTAL AMOUNT										\$1,653,442.00

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

2600731

*R-* 301422

MAY 08 2006

Passed by the Council of The City of San Diego on MAY 08 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 11 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number

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