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RESOLUTION NUMBER R- 301827

DATE OF FINAL PASSAGE AUG 15 2006

WHEREAS, the Council of the City of San Diego on December 7, 2004, in Resolution No. 299987, approved a phase funded Design-Build construction contract with T.B. Penick and Sons for the construction of the Northwestern Area Police Station [Project]; and

WHEREAS, the resolution approved the expenditure of \$1,169,754 for Phase II of the construction contract when funds became available (R-299987); and

WHEREAS, Phase II funding in the amount of \$336,085 was previously identified in Fund 39063 (R-299987); and

WHEREAS, the remaining \$833,669 needed to fully fund Phase II has been identified;
NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor is authorized to reallocate an amount not to exceed \$173,755.85 from CIP No. 52-424.0, Carmel Mountain Road/I-5 Interchange, Fund No. 39063, Torrey Hills Developer Agreement Funds to CIP No. 36-059.0, Northwestern Area Police Station, for the purpose of the Phase II Design-Build construction contract with TB Penick and Sons for the Project.

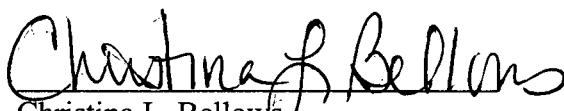
BE IT FURTHER RESOLVED, that the reallocation of Fund No. 39063, Torrey Hills Development Agreement Funds in the amount of \$500,000 from Fund Balance, to CIP No. 36-059.0, Northwestern Area Police Station is authorized for the purpose of the Phase II Design-Build construction contract with T.B. Penick and Sons for the Project.

BE IT FURTHER RESOLVED, that the reallocation of Fund No. 79002, Carmel Valley FBA Funds, in the amount of \$159,913.15 from Fund Balance, to CIP No. 36-059.0, Northwestern Area Police Station, is authorized for the purpose of the Phase II Design-Build construction contract with T.B. Penick and Sons for the Project.

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

BE IT FURTHER RESOLVED, that this activity is covered under the Carmel Valley Unit No. 4 project (LDR No. 95-0237). The activity is adequately addressed in the environmental document and there are no changes in circumstances, additional information, or project changes to warrant additional environmental review. Because the prior environmental document adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15060(c)(3) and 15378(c).

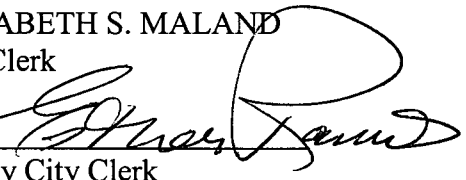
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Christina L. Bellows
Deputy City Attorney

CLB:sc
07/19/06
Aud.Cert.: 2600931
Or.Dept:E&CP
R-2007-26

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

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8.15.06
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2600931

ORIGINATING

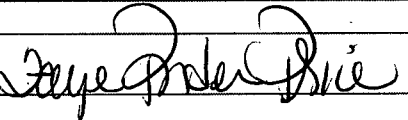
DEPT. NO.: 545

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: \$833,669.00 30244/107, 39063, 79002

Purpose: Authorizing the reallocation of funds for Phase II of the construction contract for Northwestern Area Police Station Project

Date: June 26, 2006

Faye Ponder-Price 

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	30244	30244	107	4279	524240		39063		\$173,755.85
2	0	39063			9544					500,000.00
3	0	79002			9544					159,913.15
TOTAL AMOUNT										\$833,669.00

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: _____

Date: _____


ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL										

FUND OVERRIDE

AC 2600931

AUG - 8 2006

 301827

Passed by the Council of The City of San Diego on AUG - 8 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 15 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 Debbie Swenson Cruz, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 301827