

113
10/24/06

RESOLUTION NUMBER R- 302023
DATE OF FINAL PASSAGE NOV 03 2006

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

1. That the City Auditor and Comptroller is authorized and empowered for and on behalf of the City of San Diego to accept and appropriate \$4,270,000 from the San Diego Association of Governments Fund 38961 for the funding of right of way acquisition costs for CIP 52-463.0.

2. That the City Auditor and Comptroller is authorized to accept and appropriate \$3,430,000 of Transportation Congestion Relief Program Funds, Fund 38977 for the funding of right of way acquisition costs for CIP 52-463.0.

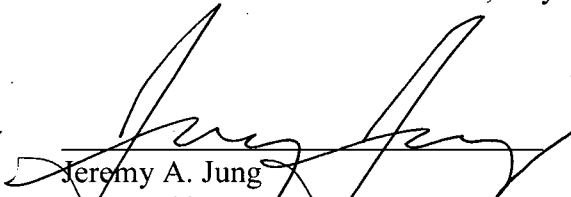
3. That the City Auditor and Comptroller is authorized to expend an amount not to exceed \$7,700,000 from CIP 52-463.0, of which \$4,270,000 is from Fund 38961 and \$3,430,000 is from Fund 38977 for the purpose of funding right of way acquisition costs, contingent upon certification by the City Auditor and Comptroller that funds are available.

4. That the City Auditor and Comptroller is authorized to deappropriate \$10,410,800 of General Fund Unappropriated Reserves, Fund 100, which were used to satisfy a court ordered payment in the State Route 56 eminent domain case, City of San Diego v. D.R. Horton, et al., San Diego Superior Court Case No. GIC 7776031.

5. That the City Auditor and Comptroller is authorized to transfer of \$10,410,800 from Fund 630221 to Fund 100, General Fund Unappropriated Reserves upon reimbursement.

6. That this activity is covered under and adequately addressed in Environmental Impact Report No. 95-0099 (State Route 56), and there is no change in circumstance, additional information or project changes to warrant additional environmental review.

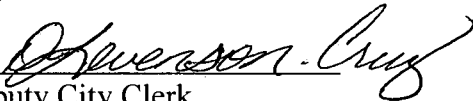
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Jeremy A. Jung
Deputy City Attorney

JAJ:cla
9/26/06
Aud.Cert.: AC 2700245
Or.Dept:E&CP
R-2007-351

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 24 2006.

ELIZABETH S. MALAND
City Clerk

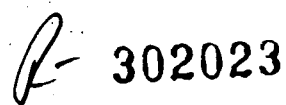
By 
Deputy City Clerk

Approved: 11-3-06
(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 2700245

ORIGINATING

DEPT. NO.: 547

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: \$7,700,000.00 Fund: 38977/38961

Purpose: To authorize the acceptance, appropriation, and expenditure of funds from both SANDAG and the State. Funds are to be used to make final condemnation case settlement payments to DR Horton for property acquisition related to SR56.

Date: September 29, 2006 By:  Caryn McGriff

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	38977			9544					\$3,430,000.00
2	0	38961			9544					4,270,000.00
TOTAL AMOUNT										\$7,700,000.00

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: July 27, 2006 By: _____

ACCOUNTING DATA

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

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2700245

R- 302023

OCT 24 2006

OCT 24 2006

Passed by the Council of The City of San Diego on _____, 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"/>

NOV 03 2006

Date of final passage _____

AUTHENTICATED BY:

JERRY SANDERS
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number *R*-302023