MWD 6095 101 270: 2/20/07

Return Orig RESO TO: MWWD: Routing Team MS#90/ A

RESOLUTION NUMBER R- 302359

DATE OF FINAL PASSAGE FEB 2 6 2007.

RESOLUTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH SDSU FOUNDATION FOR REIMBURSEMENT FOR THE DESIGN AND CONSTRUCTION OF SEWER MAINS NEAR SORORITY ROW; AUTHORIZING EXPENDITURES; AND FINDING NO ENVIRONMENTAL IMPACT BY THIS ACTION.

WHEREAS, as a condition of the development of the Sorority Row project, San Diego State University Foundation ("SDSU") was required to make improvements to the public wastewater system at College Avenue, Cresita Drive, and College Place adjacent to the project; and,

WHEREAS, the existing sewer mains had deteriorated, and replacement of a portion of the sewer mains were necessary both for the project and other areas of the City; NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to execute, for and on behalf of the City, an agreement to reimburse SDSU for design and construction of sewer mains associated with SDSU's Sorority Row project, under the terms and conditions set forth in the Participation Agreement, on file in the office of the City Clerk as Document No. RR-___302359_____.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$316,040 from Sewer Fund No. 41506, CIP 45-975.0, Annual Allocation – Developer Projects, SDSU Foundation Sorority Participation Agreement, sublet CIP 45-975.1, is authorized, solely and exclusively to provide reimbursement under the above agreement.

BE IT FURTHER RESOLVED, that this activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Ву

Thomas C. Zeleny Deputy City Attorney

(date)

TCZ:mb 07/10/06 Aud.Cert:2600777 MWD-6095 Or.Dept:MWWD R-2007-17

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego, at its meeting of FEB 2 0 2007

ELIZABETHS MALAND City Clerk

By Deputy City Clerk

Approved: JERRY SANDERS, Mayor

Vetoed:

JERRY SANDERS, Mayor

CERTIFICATE OF UNALLOTTED BALANCE ORIGINATING

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