

MWD 6095  
101  
2/20/07

Return Orig RESO TO:  
MWW: Routing Team  
MS# 901 A (R-2007-17)

PS

RESOLUTION NUMBER R- 302359

DATE OF FINAL PASSAGE FEB 26 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,

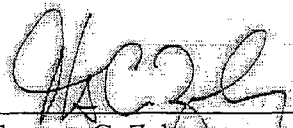
THEREFORE;

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.

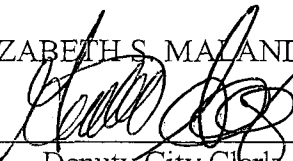
BE IT FURTHER RESOLVED, that this activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

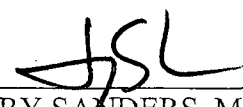
By   
Thomas C. Zeleny  
Deputy City Attorney

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 20 2007

ELIZABETH S. MALAND, City Clerk  
By   
Deputy City Clerk

Approved: 2-20-07  
(date)

  
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 2600777  
 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: \_\_\_\_\_ Fund: \_\_\_\_\_

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

**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: \$316,040.00

Vendor: SDSU Foundation

Purpose: To authorize the expenditure of funds for the SDSU Participation Agreement for Design and Construction of Sorority Row Sewer Mains.

Date: April 28, 2006 By: \_\_\_\_\_

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	41506	773	960	4240	140904					\$316,040.00
TOTAL AMOUNT											\$316,040.00

FUND OVERRIDE

*R-302359*

**FEB 20 2007**

AC 2600777