

RESOLUTION NUMBER R- 302803

DATE OF FINAL PASSAGE JUL 16 2007

A RESOLUTION AUTHORIZING EXECUTION OF  
PROPOSITION 50 GRANT FUNDING AGREEMENT; AND  
TAKING RELATED ACTIONS.

WHEREAS, on April 17, 2006 the City of San Diego Water Department [City] applied to the State of California [State] for a \$10,000,000.00 grant under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 [Proposition 50]; and

WHEREAS, on September 29, 2006, the State issued a Letter of Commitment to City committing grant funds in the amount of \$10,000,000.00 under the Proposition 50 Program for the Water Department Security Upgrades Project [Project], Project Number P50-3710020-011, subject to terms and conditions; and

WHEREAS, City adopted a Project budget totaling \$23,001,930.00, with the remaining \$13,001,930.00 of Project costs to be funded by, through, or with water rates, charges and assessments, bond proceeds and financing; and

WHEREAS, prior to the State issuing a Proposition 50 Funding Agreement for the Project [Funding Agreement], City is required to adopt a resolution authorizing an officer to execute said Funding Agreement and amendments, designating a person to approve claims for reimbursement, designating a registered engineer to sign the Budget and Expenditure Summary, designating a registered engineer to sign Certification of Project Completion, designating a person to sign the Final Release form and dedicating a source of revenues for matching funds; NOW, THEREFORE,

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

1. That the Mayor or his designee is authorized and empowered to execute, for and on behalf of said City, a Proposition 50 Funding Agreement for the Project, any Amendments and Claims for Reimbursement thereto, for water security to assure that minimum safe drinking water standards are met, under the terms and conditions set forth in the Funding Agreement on file in the office of the City Clerk as Document No. RR 302803

2. That the City Engineer or other registered engineer as designated by the Mayor, is authorized to execute the Budget and Expenditure Summary, Certificate of Project Completion and Final Release forms.


3. That the City Council hereby designates revenues from the Water Fund, Fund No. 41500 water rates, charges and assessments, bond proceeds and financing as the dedicated source of revenue for matching funds required under the Funding Agreement in the amount of \$10,000,000.00 and additional funding of at least \$3,001,930.00 for remaining project costs, subject to the covenants and conditions of the Master Installment Purchase Agreement on file in the office of the City Clerk as Document No. OO-18536-2, as amended and supplemented from time to time, with said dedication to remain in full force and effect until such Funding Agreement is fully discharged, unless modification or change of such dedication is approved in writing by the State of California.

5. That the City Auditor and Comptroller is authorized to accept, appropriate, and expend up to \$10,000,000 in Grant funds solely and exclusively for Project purposes, contingent upon first furnishing one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

6. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

7. That the acceptance of the Grant is not a project and is therefore not subject to the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060 (c)(2). Any construction activities regarding the Project will be subject to further environmental review.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Raymond C. Palmucci  
Deputy City Attorney


RCP:js  
06/20/2007  
Or.Dept: Water  
R-2007-1275

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 10 2007.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7.16.07  
(date)

  
JERRY SANDERS, Mayor

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

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JERRY SANDERS, Mayor