

RESOLUTION NUMBER R- 309511

DATE OF FINAL PASSAGE MAR 11 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DECLARING A SURPLUS IN THE DEL MAR
TERRACE UNDERGROUND UTILITY ASSESSMENT
DISTRICT.

WHEREAS, in 1998 and prior to the implementation of the Utilities Undergrounding Surcharge Fund, property owners within the Del Mar Terrace neighborhood expressed interest in forming a Special Assessment District under the Municipal Improvement Act of 1913, for the purpose of undergrounding overhead utilities within their community; and

WHEREAS, the petition to initiate the process to form an Assessment District was approved by the City Council on March 29, 1999 (Resolution 291436). The results of the Assessment Ballot were approved by the City Council during the Public Hearing held on June 1, 1999 (Resolution 291731). The City Council approved the assessment of \$1,162,200.00 from 150 parcels in the Del Mar Terrace community for the purpose of undergrounding the overhead utilities; and

WHEREAS, the total project budget was \$1,162,200.00, but \$1,162,530.03 was collected, and total expenditures were \$1,011,512.28, resulting in a surplus of \$150,687.72. The planned refund includes the surplus and \$204,390.30 of earned interest, for a total of \$355,078.02; and

WHEREAS, upon approval by the City Council, the Office of the Comptroller will issue a refund to the current property owners of record, with each property owner receiving a refund amount in the same proportion in which the assessment was originally levied, as determined in the Engineer's Report; NOW, THEREFORE,

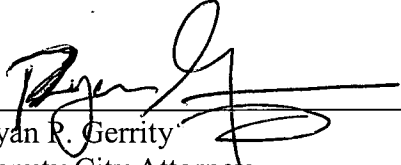
BE IT RESOLVED, by the Council of the City of San Diego, to declare surplus funds in the Del Mar Terrace Underground Utility Assessment District, Fund 200501, Del Mar Terrace, in the amount of \$355,078.02, as outlined within the State of California – Street and Highways Code § 10427, which was originally established to fund the project for the purpose of undergrounding overhead utilities within the Torrey Pines Community Planning Area.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to reduce the Capital Improvement Program budget by de-appropriating \$150,687.72 in Fund 200501, Del Mar Terraces, AID00001, Undergrounding of City Utilities.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$355,078.02 from Fund 200501, Del Mar Terrace, Internal Order 12004117, for the purpose of returning excess budget to property owners of record.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to close Fund 200501, Del Mar Terrace.

APPROVED: JAN I. GOLDSMITH, City Attorney

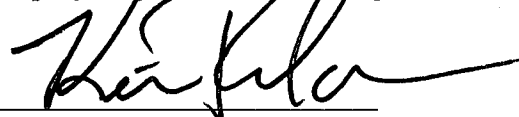
By 
Ryan R. Gerrity
Deputy City Attorney

RPG:jls
02/10/2015
02/13/2015 Cor. Copy
Or.Dept: Transportation & Storm Water Dept
CC No. 3000007398 / 100806011
Doc. No. 956320_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 24 2015

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk



KEVIN L. FAULCONER, Mayor

Approved: 3/10/15
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

3000007398/
 CC 100806011

Originating Business Area: 2116

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: \$355,078.02

Purpose: 1472 Declaring Surplus in the Del Mar Terrace Underground Utility Assessment District. The Chief Financial Officer is authorized to reduce Capital Improvement Program by de-appropriating CIP A-ID00001, Fund 200501 Del Mar Terraces. And the Chief Financial Officer is authorized to encumber fund balance to appropriate and expend for the purpose of returning excess funds to the property owners of record.

Date: November 12, 2014 By: Norman Reyes 

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
001	AID00001	200501		512117	OTHR-00000000-TR	2113		A-ID.00001	\$150,687.72
002		200501		330003	OTHR-00000000-TR	9913			\$204,390.30
TOTAL AMOUNT									\$355,078.02

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: _____ By: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
TOTAL AMOUNT									

Passed by the Council of The City of San Diego on FEB 24 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 11 2015.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

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

(Seal)

By *Aty Brady*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **309511**