

RESOLUTION NUMBER R- 310605

DATE OF FINAL PASSAGE JUL 20 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE ACQUISITION OF FEE INTERESTS AND A SLOPE EASEMENT OF PROPERTY LOCATED IN BONITA, CALIFORNIA FOR THE DIRECT TRANSFER FACILITY PUMP STATION PROJECT.

WHEREAS, in the interest of maximizing local alternatives and partnering, the City of San Diego (City) and the Sweetwater Authority desire to jointly participate in the Reynolds Groundwater Desalination Expansion Project (Project); and

WHEREAS, the City and the Sweetwater Authority desire to jointly build the Project and share the locally produced ground water, which will result in decreasing dependence on imported water for both the citizens of South Bay and Greater San Diego. A direct transfer pump station is the City's component of the Project, and the means by which the ground water is shared; and

WHEREAS, the City's financial participation in the Expansion project will benefit both the City and Sweetwater by reducing the overall cost of local water for each agency; and

WHEREAS, the City desires to acquire the fee interest of the property located in Bonita, California with Assessor Parcel Number (APN) 591-241-14, for the construction of the Project; and

WHEREAS, the City desires to acquire the fee interest of a portion and a slope easement of a portion of the property located in Bonita, California with APN 591-241-02, for the construction of the Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute and deliver the Purchase and Sale Agreement on

file in the Office of the City Clerk as Document No. RR- 310605-1 (Buck-Bauer Agreement), for the acquisition of the fee interest of the property with APN 591-241-14.


BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized and directed to execute and deliver the Purchase and Sale Agreement on file in the Office of the City Clerk as Document No. RR- 310605-2 (Stone-Lim Agreement), for the acquisition of the fee interest of a portion and a slope easement of a portion of the property with APN 591-241-02.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$255,000 from Capital Project A-BM.00001 (Groundwater Asset Development Program) for Funded Program B-15073 (Direct Transfer Facility Pump Station) from Fund 700010 (Water Utility CIP), for the necessary acquisition of real property located on APN 591-241-14 for the Project, contingent upon the adoption of the Fiscal Year 2017 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$173,000 from Capital Project A-BM.00001 (Groundwater Asset Development Program) for Funded Program B-15073 (Direct Transfer Facility Pump Station) from Fund 700010 (Water Utility CIP), for the necessary acquisition of a portion of real property located on APN 591-241-02 for the Project, contingent upon the adoption of the Fiscal Year 2017 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to execute and deliver all such agreements and all other instruments to effect and complete the transaction contemplated by this Resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Hilda R. Mendoza
Deputy City Attorney

HRM:meb:als
June 23, 2016
Aug. 1, 2016 Cor.Copy
Or.Dept:READ
CC Nos. 3000009056/3000009057
Doc. No.: 1311789_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 19 2016.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

See attached memo and signature page.

**Office of
The City Attorney
City of San Diego**

MEMORANDUM

DATE: August 1, 2016
TO: Elizabeth Maland, City Clerk
FROM: Hilda R. Mendoza *HRM*
SUBJECT: Item #104-A – Adopting the Acquisition of Fee Interests and a Slope Easement of Property Located in Bonita – Council Meeting of July 19, 2016

A corrected copy of the Resolution No. R-2017-8 is submitted to reflect the correct Comptrollers Certificate Nos. 3000009056 and 3000009057, which was adopted by the City Council on July 19, 2016.

HRM:als
Doc. No.: 1330481

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to execute and deliver all such agreements and all other instruments to effect and complete the transaction contemplated by this Resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Hilda R. Mendoza
Hilda R. Mendoza
Deputy City Attorney

HRM:meb
June 23, 2016
Or.Dept:READ
CC No. 3000009051
Doc. No.: 1311789

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 19 2016.

ELIZABETH S. MALAND
City Clerk

By Mary Junerdy
Deputy City Clerk

Approved: 7/20/16
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000009056
 DEPT. NO.: 2112

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: _____

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									

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: \$255,000.00

Vendor: Slader G. Buck and Cheryl L. Bauer as Trustees of the Slader Buck and Cheryl Bauer Trust and Cherie Bauer and Pamela Bauer-Fischer, as trustees of the Judith L. Bauer Trust fbo the Children of William J Butler.

Purpose: To authorize the expenditure of funds not to exceed \$255,000 to Slader G. Buck and Cheryl L. Bauer as Trustees of the Slader Buck and Cheryl Bauer Trust and Cherie Bauer and Pamela Bauer-Fischer, as trustees of the Judith L. Bauer Trust fbo the Children of William J Butler for acquisition of property rights required for the construction of a direct transfer facility pump station

Date: June 22, 2016 By: James Long
 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
I	B15073	700010		512204	OTHR-00000000-WU	2013		B-15073.03.02	\$255,000.00
TOTAL AMOUNT									\$255,000.00

FUND OVERRIDE

CC 3000009056

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000009057
 DEPT. NO. 2112

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: _____

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									

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: \$173,000.00

Vendor: Anders Lloyd Stone and Julie Lim

Purpose: To authorize the expenditure of funds not to exceed \$173,000 to Anders Lloyd Stone and Julie Lim for acquisition of property rights required for the construction of a direct transfer facility pump station

Date: June 22, 2016 By: James Long

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
1	B15073	700010		512204	OTHR-00000000-WU	2013		B-15073.03.02	\$173,000.00
TOTAL AMOUNT									\$173,000.00

FUND OVERRIDE

CC 3000009057

Passed by the Council of The City of San Diego on JUL 19 2016, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 20 2016


(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 , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 310605