

RESOLUTION NUMBER R- 297371

ADOPTED ON NOV 25 2002

WHEREAS, the State of California has mandated certain upgrades to underground storage tank systems by December 31, 2003; and

WHEREAS, the City has an existing contract with Gary Engineering, Inc., to provide design engineering services for underground storage tank upgrade projects; a copy of the Sole Source Consultant Agreement for Underground Storage Tank Management Program Engineering and Design with Gary Engineering, Inc., [Contract], is on file in the Office of the City Clerk as Document No. RR-289964; and

WHEREAS, various City sites such as certain fire stations, police divisions, and operations yards still require upgrades to their underground storage tank systems; and

WHEREAS, the City wishes to amend the existing contract with Gary Engineering, Inc., to increase the contract amount, expedite design development, and reduce costs for the work needed at these facilities; and

WHEREAS, the City anticipates the award of and wishes to accept additional funds from the State Water Resources Control Board's Underground Storage Tank Cleanup Fund as cleanup reimbursement monies become available; NOW, THEREFORE,

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

1. The City Manager be and is hereby authorized and empowered to execute, for and on behalf of the City, a First Amendment to the Sole Source Consultant Agreement for

Underground Storage Tank Management Program Engineering and Design with Gary Engineering, Inc., [Contract], for design engineering services for underground storage tank system removal, installation, and upgrade at various City sites; a copy of which is on file in the Office of the City Clerk as Document No. RR- 297371.

2. The City Auditor and Comptroller is hereby authorized to increase the Fiscal Year 2003 Capital Improvement Program [CIP] budget for CIP 33-084.0, Underground Hazardous Materials Storage Tanks, by \$287,000.

3. The City Auditor and Comptroller is hereby authorized to transfer funds in an amount not to exceed \$270,000 from the Equipment Fund 50030 to Special Fund No. 10503 and to transfer funds in an amount not to exceed \$7,000 from the Golf Course Fund 41400 to Special Fund 10506.

4. The City Auditor and Comptroller is authorized to appropriate and expend a total amount not to exceed \$287,000 (\$270,000 from Special Fund 10503, \$7,000 from Special Fund 10506, and \$10,000 from Fund 10330) into CIP 330840.

5. The City Auditor and Comptroller is authorized to expend funds in an amount not to exceed \$5,363 from Water Fund 41500, CIP 79-284.0, Miramar Water Treatment Plant Upgrade and Expansion (Early Start Phase 2), solely and exclusively, for the purpose of design engineering services for underground storage tank removal, provided that the City Auditor and Comptroller first certifies that the funds are available.

6. The City Auditor and Comptroller is authorized to expend an amount not to exceed \$137,000 from CIP 33-084.0, Underground Hazardous Materials Storage Tanks, solely

and exclusively, for the purpose of design engineering services for underground storage tank system removal, installation, and upgrade of various City sites.

7. The City Auditor and Comptroller is authorized to expend an amount not to exceed \$250,000 from CIP 33-084.0, Underground Hazardous Materials Storage Tanks, solely and exclusively, for the purpose of construction of fueling system upgrades at Chollas Operations Yard and related in-house and environmental consulting engineering.

8. The City Manager or his designee is hereby authorized to accept an additional \$950,000 of reimbursement funds from the State Water Resources Control Board/CalEPA for deposit to the Underground Hazardous Materials Storage Tanks Fund 38059.

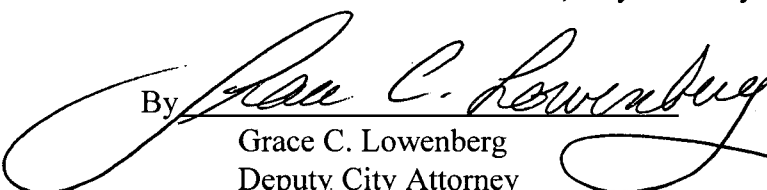
9. The City Auditor and Comptroller is hereby authorized to increase the Fiscal Year 2003 Capital Improvements Program Budget in CIP 33-084.0, Fund 38059, by \$950,000.

10. The City Auditor and Comptroller is hereby authorized to appropriate and expend an additional amount not to exceed \$950,000 within CIP 33-840.0, Underground Hazardous Materials Storage Tank, Fund 38059, solely and exclusively, for the purpose of providing funds for the City's underground storage tank program.

11. The City Auditor and Comptroller is hereby authorized, upon advice from administering departments to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By


Grace C. Lowenberg
Deputy City Attorney

GCL:ms

10/28/02

Or.Dept: Env. Serv.

R-2003-602

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2300420
DEPT. _____
NO. 547

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: \$287,000.00 Fund: 50030, 10330, 41400

Purpose: Authorize the expenditure of funds for work with the Underground Hazardous Materials Storage Tanks.

Date: October 16, 2002

By: *Neather Beegant*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
01	0	50030	820	322	4881	8257					\$270,000.00
02	0	10330	930	2051	4222	205120					10,000.00
03	0	41400	730	2101	4173	7331					7,000.00
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: \$142,363.00

Vendor: Gary Engineering

Purpose: To authorize the expenditure of funds to pay for the work on the Underground Hazardous Materials Storage Tanks.

Date: October 16, 2002

By: *Neather Beegant*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
01	0	41500	760	391020	41182	186272					\$5,363.00
02	0		30244	106	4279	330840					137,000.00
TOTAL AMOUNT											\$429,363.00

FUND OVERRIDE

R - 297371

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AC 2300420