

RESOLUTION NUMBER R- 299026

ADOPTED ON MAR 29 2004

WHEREAS, on Saturday, October 25, 2003, the City of San Diego, County of San Diego, and other cities within the County of San Diego experienced the worst fires in their recorded history; and

WHEREAS, within the City of San Diego, the Cedar Fire burned from Clairemont and Kearny Mesa on the west, through Miramar, Scripps Ranch and Tierrasanta on the east, and further extending to Poway, Lakeside, Ramona and other areas in the County of San Diego; and

WHEREAS, the Cedar Fire scorched more than 280,000 acres and destroyed more than 349 homes in Scripps Ranch, and at least 11 in Tierrasanta, with another 33 homes in Tierrasanta damaged; and

WHEREAS, in addition to the Cedar Fire, the Paradise Fire scorched 380,000 acres in the County, and the Otay Fire along the U.S. and Mexico border charred over 45,000 acres in the South Bay; and

WHEREAS, during the incidents described above, under authority vested in him pursuant to City of San Diego Charter section 24 to take command of the police, maintain order and enforce the law in times of public danger and emergency, Mayor Dick Murphy did declare a City emergency, and coordinated with fire and life safety officers to promulgate, publish and publicly disseminate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, pursuant to California Government Code section 8634, upon declaration of a local emergency the Council of the City of San Diego may promulgate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, by the Council of the City of San Diego, that pursuant to California Government Code section 8630, on November 3, 2003, by Resolution No. R-298565, a state of local emergency was declared to exist in the City of San Diego due to the Cedar Fire, the Paradise Fire and the Otay Fire, and that such declaration was deemed to be retroactive to the date of Saturday, October 25, 2003, when the wildfires began to burn out of control; and

WHEREAS, City staff under the authority of the City Manager was required to direct immediate work with a consultant to assess the fire damage and contractors to perform the work to assist in a plan of action related to post-fire sediment and erosion control problems; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with GeoSyntec Consultants for services related to the 2003 San Diego Fires for an amount not to exceed \$464,900, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 299026, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$464,900, from the Water Fund Unallocated Reserve, Fund 41500, Org. 5005, Program 765005, Object Account 4903, to the Watershed Program, Fund 41500, Org. 5023, Job Order 30454, Object Account 4222, for the purpose of consultant services related to the 2003 San Diego fires.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$464,900, from the Water Fund Unallocated Reserve, Fund 41500, Org. 5005, Program 765005, Object Account 4903, to the Watershed Program, Fund 41500, Org. 5023, Job Order 30454, Object Account 4222, for the purpose of consultant services related to the 2003 San Diego fires., is authorized for the purpose of providing funds for the above referenced Project.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By 
Keri Katz
Head Deputy City Attorney

KK:km
3/24/04
Or.Dept:E&CP
2004-1007

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2400924

ORIGINATING DEPT. NO.: 760

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

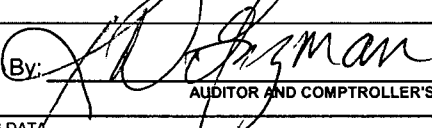
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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: \$464,900.00

Vendor: GeoSyntec Consultants

Purpose: Authorizing the City Manager to transfer from the Water Fund Unallocated Reserve the amount of \$234,000 to the Water Fund Watershed Program and to execute an agreement for consultant services related to the 2003 San Diego Fires.

Date: March 23, 2004

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	41500	760	5005	4903	765005				\$234,900.00
2	0	100	542	2800	4222	2001				230,000.00
TOTAL AMOUNT										\$464,900.00

FUND OVERRIDE

AC 2400924

R-299026

MAR 29 2004