

(O-2006-53)

ORDINANCE NUMBER O	19451	_(NEW SERIES)
ADOPTED ON	DEC 0 5 2005	

AN ORDINANCE AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO CONSULTANT AGREEMENT WITH MWH AMERICAS, INC. FOR THE OTAY WATER TREATMENT PLANT UPGRADE.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the City Manager or duly authorized representative is authorized to execute a Second Amendment to Agreement between the City of San Diego and MWH Americas, Inc. for Consulting Services for the Otay Water Treatment Plant Upgrade in the form on file in the Office of the City Clerk as Document No. OO-\_\_\_\_\_\_19451\_\_ [Second Amendment], together with any reasonably necessary modifications or amendments thereto which do not increase agreement 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 the agreement.

Section 2. That the City Auditor and Comptroller is authorized to transfer \$65,000 from Water Fund 41500, CIP 73-250.0, Otay Water Treatment Plant Clearwell Storage Project, to Water Fund 41500, CIP 73-285.0, Otay Water Treatment Plant Upgrade Phase 2.

Section 3. That the appropriation and expenditure of an amount not to exceed \$1,605,023 from Water Fund 41500, CIP 73-285.0, Otay Water Treatment Plant Upgrade Phase 2, is authorized for the purpose of funding the Second Amendment and related in-house engineering costs.

Section 4. That the City Auditor and Comptroller is authorized, upon advice from the administering Department, to transfer any excess budgeted funds to the appropriate reserves.

Section 5. That this activity is not a project subject to the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines section 15378(c) because it is a subsequent discretionary approval related to the project approved by Resolution No. R-294237 and within the scope of Mitigated Negative Declaration LDR No. 40-0932 (Project No. 96004551).

Section 6. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 7. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Lori W. Girard

Deputy City Attorney

LWG:cla 10/19/05 Or.Dept:Water O-2006-53 A/C 2600312

## The City of San Diego . CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

## **CERTIFICATE OF UNALLOTTED BALANCE**

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