

RESOLUTION NUMBER R- 300078

ADOPTED ON JAN 25 2005

WHEREAS, Fashion Valley Road at the San Diego River crossing is a four lane road located in the Mission Valley area of the City of San Diego, between Friars Road and Hotel Circle North [Fashion Valley Road]; and

WHEREAS, traffic from Fashion Valley Road leads into Fashion Valley Mall, Town and Country Convention Center, San Diego Trolley Station, Bus Transit Center and other commercial and residential areas of the City; and

WHEREAS, on December 30, 2004, after an extraordinary storm event, Fashion Valley Road collapsed due to the inundation of rainfall and failure of the existing six (6) corrugated metal pipes [CMPs] that convey storm water runoff from Fashion Valley Road into the San Diego River; and

WHEREAS, due to its collapse, Fashion Valley Road has been closed to all traffic and will remain closed until the CMPs are replaced; and

WHEREAS, the Council of the City of San Diego has determined that the public interest or necessity demands the immediate repair of Fashion Valley Road to safeguard life, health or property; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the failure of Fashion Valley Road constitutes an emergency within the meaning of Charter Section 94 and that the

public interest or necessity demands the immediate expenditure of money, without advertising for bids or receiving the same, to enter into a contract to repair Fashion Valley Road.

BE IT FURTHER RESOLVED, that an increase of \$1,200,000 is authorized in the Fiscal Year 2005 Capital Improvements Program Budget in CIP 130050, Emergency Drainage Projects, Fund 30307, Assembly Bill – 2928.

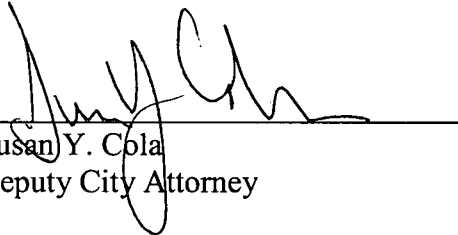
BE IT FURTHER RESOLVED, that the City Manager is authorized to award an emergency contract to repair Fashion Valley Road, conditioned upon the City Auditor first furnishing a certificate that funds are available

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend \$1,200,000 from CIP 130050, Emergency Drainage Projects, Fund 30307, Assembly Bill – 2928 for the purpose of emergency repair for the Fashion Valley Road.

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: MICHAEL J. AGUIRRE, City Attorney

By



Susan Y. Cola
Deputy City Attorney

SYC:sc
01/18/05
Aud.Cert.: 2500662
Or.Dept:E&CP
R-2005-753

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2500662

DEPT. NO.: 549

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: \$1,200,000.00 Fund: 30307/30244

Purpose: Authorizing the expenditures of funds from Assembly Bill - 2928 Fund, Fund 30307, to fund CIP 130050, Emergency Drainage Projects.

Date: January 14, 2005 By: Marilyn Nguyen
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
001		30307			9544						\$1,200,000.00
										TOTAL AMOUNT	\$1,200,000.00

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.

Amount: _____

Vendor: _____

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	

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2500662

R- 300078

JAN 25 2005