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(R-2006-497)

RESOLUTION NUMBER R- 301103

ADOPTED ON DEC 05 2005

WHEREAS, on February 25, 2002, by Resolution number R-296103, the City Council approved the as-needed agreement with Brown and Caldwell for Professional Engineering Services 2002-2005.; and

WHEREAS, the agreement provides professional engineering services for existing Metropolitan Wastewater Department facilities, such as design studies and design improvements; and

WHEREAS, not-to-exceed contract amount of \$5,000,000 was funded from Sewer Funds 41506, 41508 and 41509; and

WHEREAS on October 11, 2004, the City Council approved Resolution No. R-299743, approving the relocation of the \$75,000 of the total contract amount from Sewer Funds 41506, 41508 and 41509 to the Storm Water Pollution Prevention Division (SWPPD), Fund 100, Dept 533; and

WHEREAS, amendment of the as-needed agreement with Brown & Caldwell reflects a \$50,003 reduction, and reallocates \$50,003 within the SWPPD Fund towards the Regional Harbor Monitoring Program; and

WHEREAS, SWWPD will use this money towards \$55,132.40 City of San Diego's share of the Regional harbor Monitoring Program;

WHEREAS the Regional Harbor Monitoring Program is proposed to be established via a Memorandum of Understanding between the City of San Diego, the Port of San Diego, the City of Oceanside, and Orange County to monitor water quality in Mission Bay, San Diego Bay, Oceanside Harbor, the Del Mar Boat Basin, and Dana Point Harbor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized to execute a Memorandum of Understanding with the Port of San Diego, the City of Oceanside, and Orange County for the Regional Harbor Monitoring Program.

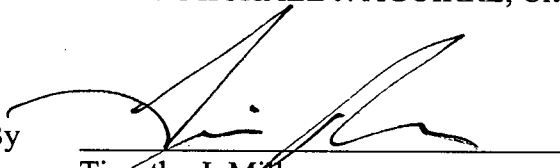
BE IT FURTHER RESOLVED, that the Council authorizes the City Manager to expend an amount of \$55,132.40 for the Regional Harbor Monitoring Program of the Storm Water Pollution Prevention Division, from Fund No. 100, Dept. 553, Org. 2200.

BE IT FURTHER RESOLVED, that the City Manager is authorized to amend Amendment No.1 to the As-Needed Engineering Services Agreement, 2002-2005, with Brown and Caldwell, which will reduce the total not-to-exceed amount to the Contract from \$5,000,000 to \$4,949,997. The reduction will take place in the portion that was allocated to the Storm Water Pollution Prevention Division, Fund No. 100, Dept. 533, Org. 2200, amending the authorized amount of from \$75,000 to \$24,997.

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BE IT FURTHER RESOLVED, that this activity is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15378(a) because this activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Timothy J. Miller
Deputy City Attorney

TJM:mm
11/14/05
Or.Dept: MWWD
Aud.Cert:2600378
R-2006-497

R- 301103

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2600378

ORIGINATING

DEPT. NO.: 533

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: _____

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: \$55,132.40

Vendor: San Diego Unified Port District

Purpose: To authorize the expenditure of funds to the San Diego Unified Port District for the Regional Harbor Monitoring Program per the MOU with the County of Orange, City of Oceanside, and the San Diego Unified Port District.

Date: November 8, 2005

By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	100	533	2200	4118	007817				\$55,132.40

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2600378

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DEC 05 2005