RESOLUTION NUMBER R- 301975 DATE OF FINAL PASSAGE OCT 1 1 2006

A RESOLUTION AMENDING THE CAPITAL IMPROVEMENT PROJECT BUDGET; AUTHORIZING EXPENDITURES; AND TAKING RELATED ACTIONS

WHEREAS, on April 21, 2003, by Resolution Number R-297874, the City Council authorized the award and expenditure of funds for the construction of the Miramar Water Treatment Plant Upgrade & Expansion [Project]; and

WHEREAS, on July 14, 2003, by Resolution Number R-298188, the City Council approved and awarded a phase funded construction contract to Western Summit Constructors, Inc.;

WHEREAS, funding is needed for additional phases of the Project; NOW, THEREFORE,

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

- 1. That an increase in the Fiscal Year 2007 Capital Improvement Program Budget is authorized in an amount not to exceed \$22,244,696, for Water Fund 41500, CIP 73-284.0 Miramar Water Treatment Plant Upgrade and Expansion Project.
- 2. That the Auditor and Comptroller is authorized to appropriate \$22,244,696 from the Water Department Unappropriated Funds to Water Fund 41500, CIP 73-284.0, Miramar Water Treatment Plant Upgrade and Expansion Project for the purpose of Fiscal Year 2007 phase funded contracts.

- 3. That the expenditure of an amount not to exceed \$1,433,178, from Water Fund 41500, CIP 73-284.0, Miramar Water Treatment Plant Upgrade & Expansion Project is authorized solely and exclusively for the purpose of FY 2007 Phase Funding of the contract with Montgomery Watson Harza, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.
- 4. That the expenditure of an amount not to exceed \$4,072,763, from Water Fund 41500, CIP 73-284.0, Miramar Water Treatment Plant Upgrade & Expansion Project is authorized solely and exclusively for the purpose of FY 2007 Phase Funding of the contract with Camp, Dresser & McKee, Inc., provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.
- 5. That the expenditure of an amount not to exceed \$16,738,755, from Water Fund 41500, CIP 73-284.0, Miramar Water Treatment Plant Upgrade & Expansion Project is authorized solely and exclusively for the purpose of FY 2007 Phase Funding of the contract with Western Summit Constructors, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.
- 6. That the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
- 7. That the Council of the City of San Diego finds that this activity is not subject to the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines Sections

15060(c)(3) and 15378(c), as this activity is a subsequent discretionary approval covered under a prior environmental document, EIR No. 99-0704, for the Miramar Water Treatment Plant Upgrade and Expansion Project. There is no change in circumstance, additional information, or project changes to warrant additional environmental review pursuant to CEQA Guidelines

Section 15162 and this activity is not a separate project for the purposes of CEQA.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Raymond C. Palmi

Deputy City Attorney

RCP:js 09/19/2006 10/2/06 Cor Copy Or.Dept: Water R-2007-301

Deputy City Clerk

Approved: (date) / JERRY-SAMDERS, Mayor

Vetoed: _____ (date) JERRY SANDERS, Mayor

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

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OCT 10 2006

AC 2700214

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2700215 DEPT

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. Fund: Amount: Purpose: Date: AUDITOR AND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA ACCTG. OPERATION LINE FUND ORG. ACCOUNT JOB ORDER BENF/ EQUIP FACILITY ACCOUNT 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: \$4,072,763.00 Vendor: Camp, Dresser & McKee (CDM) Inc. Purpose: Authorizing the expenditure of funds for the purpose of funding FY 2007 phase funding in the Miramar Water Treatment Plant Expansion & Upgrade Project. CIP 73-284.0. September 19, 2006 Date: By: AUDITOR AND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA ACCTG. CY OPERATION JOB ORDER LINE **FUND** DEPT ORG. ACCOUNT ACCOUNT BENF/ EQUIP FACILITY **AMOUNT** 001 41500 760 391020 4278 182482 \$4,072,763.00

TOTAL AMOUNT \$4,072,763.00

AC-361 (REV 2-92)

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OCT 10 2006

FUND OVERRIDE AC 2700215

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2700216

DEPT. 760

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R-301975

OCT 10 2006

AC 2700216

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Council Members	Yeas	Nays	Not Present	Ineligible	
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Kevin Faulconer	Ø			,	*
Toni Atkins	Z				٠
Anthony Young					
Brian Maienschein					
Donna Frye	Z			. 🔲 .	
Jim Madaffer					
Ben Hueso	\mathbb{Z}^{\prime}				
te of final passage OCT 11	2006		JERRY SA		
AUTHENTICATED BY:		Mayor	of The City of San	Diego, California	!.
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Office of the City Clerk, San Diego, California

Resolution Number

301975