

103  
11/21/06

(R-2007-469)

RESOLUTION NUMBER R- 302102

DATE OF FINAL PASSAGE DEC 01 2006

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AN AMENDMENT TO THE MAINTENANCE SERVICE AGREEMENT WITH EMERSON PROCESS MANAGEMENT; AND AUTHORIZING EXPENDITURE OF FUNDS.

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to execute, for and on behalf of the City, a phase-funded amendment to the maintenance service agreement with Emerson Process Management, Inc. in connection with the Metropolitan Wastewater Department's COMNET operations, under terms and conditions set forth in Amendment No. 1, on file in the office of the City Clerk as Document Number RR- 302102.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$4,306,167 from the operating budget of the Sewer Fund is authorized for the above amendment, to be expended as follows:

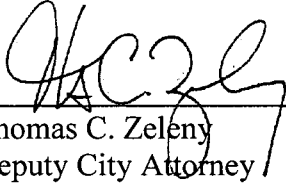
\$1,022,180 for Phase 5 of the agreement, consisting of \$787,310 from Fund No. 41508 and \$234,870 from Fund No. 41506;

\$2,203,063 for Phase 6 of the agreement from Fiscal Year 2008 appropriations, contingent on Council's approval of the Fiscal Year 2008 operating budget and provided that the City Auditor and Comptroller furnishes a certificate stating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and

\$1,081,374 for Phase 7 of the agreement, from Fiscal Year 2009 appropriations, contingent on Council's approval of the Fiscal Year 2009 operating budget and provided that the City Auditor and Comptroller furnishes a certificate stating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

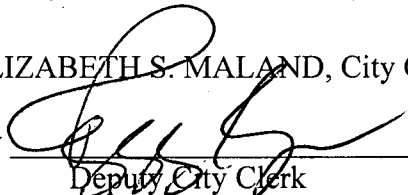
BE IT FURTHER RESOLVED, that the above activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Thomas C. Zeleny  
Deputy City Attorney

TCZ:mb  
10/26/06  
Aud.Cert:2700304  
Or.Dept:MWWD  
MWD-7029  
R-2007-469

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 21 2006.

ELIZABETH S. MALAND, City Clerk  
By   
Deputy City Clerk

Approved: 12-1-06  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2700304

DEPT. NO.: 771

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: October 31, 2006

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
<b>TOTAL AMOUNT</b>										

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: \$1,022,180.00

Vendor: Emerson Process Management

Authorizing the expenditure of funds for Amendment 1 for the COMNET maintenance services.

Date: October 31, 2006 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	41508	771	610	4222	2610				\$787,310.00
2	0	41506	775	690	4222	2690				184,678.00
3	0	41506	773	760	4222	7654				50,192.00
<b>TOTAL</b>										<b>\$1,022,180.00</b>

FUND OVERRIDE

*R* 302102

NOV 21 2006

AC 2700304

NOV 21 2006

Passed by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DEC 01 2006

Date of final passage \_\_\_\_\_

AUTHENTICATED BY:

\_\_\_\_\_  
JERRY SANDERS  
Mayor of The City of San Diego, California.

\_\_\_\_\_  
ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number     *R*    302102