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ORDINANCE NUMBER O- 19692 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 18 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A FOURTH AMENDMENT TO THE AGREEMENT WITH BOYLE ENGINEERING CORPORATION FOR THE LA JOLLA VILLAGE DRIVE/INTERSTATE 805 AND MIRAMAR ROAD WIDENING PROJECTS IN THE UNIVERSITY COMMUNITY PLAN AREA.

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

Section 1. That the Mayor be and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with Boyle Engineering Corporation, for professional engineering services for the La Jolla Village Drive/Interstate 805, CIP No. 52-485.0 and Miramar Road Widening, CIP No. 52-679.0, in the amount of \$383,091 under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No.

00-19692

Section 2. That the expenditure of an amount not to exceed \$239,177 from CIP No. 52-485.0, La Jolla Village Drive/Interstate 805, Fund No. 79001, Facilities Benefit Assessment Fund, and an amount not to exceed \$143,914 from CIP No. 52-679.0, Miramar Road Widening, Fund No. 79001, Facilities Benefit Assessment Fund, is authorized for the purpose of executing this Fourth Amendment to the Agreement for the above referenced Project.

Section 3. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. 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 5. That this ordinance, having been introduced and adopted by a two-thirds vote of the members of the San Diego City Council pursuant to Section 99 of the Charter of the City of San Diego, shall take effect and be in force on the thirtieth day from and after its passage.

Section 6. That this activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Sections 15061(c)(3). This determination is predicated on Section 15004 of the Guidelines, which provides direction to lead agencies on the appropriate timing for environmental review. Construction activities related to this action will be subject to review under the provisions of CEQA.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Peter A. Mesich  
Deputy City Attorney

PAM:cfq  
10/30/07  
Or.Dept:E&CP  
O-2008-64

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 04 2007.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 12-18-07  
(date)

  
JERRY SANDERS, Mayor

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

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

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2800271

ORIGINATING

DEPT. NO.: 547

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: \_\_\_\_\_ Fund: \_\_\_\_\_

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: \$383,091.00

Vendor: Boyle Engineering Corp.

Purpose: To authorize the expenditure of funds for the purpose of executing the fourth amendment to the agreement for consulting services related to the La Jolla Village Drive/I-805 and Miramar Rd Widening projects.

Date: October 10, 2007 By:  Caryn McGriff

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	30244	30244	107	4279	524850				\$239,177.00
2	0	30244	30244	107	4279	526790				143,914.00
TOTAL AMOUNT										\$383,091.00

FUND OVERRIDE

AC 2800271