(O-2008-66) 4/4

ORDINANCE NUMBER O-

19693

(NEW SERIES)

DATE OF FINAL PASSAGE

DEC 18 2007

AN ORDINANCE AUTHORIZING EXECUTION OF AGREEMENTS FOR PROFESSIONAL SERVICES FOR SAN DIEGO COUNTY WATER AUTHORITY EMERGENCY STORAGE PROJECT; FOR EXPENDITURE OF FUNDS; AND TAKING RELATED ACTIONS.

WHEREAS, in May 1998, the City Council adopted an ordinance which authorized the execution of an Agreement with the San Diego County Water Authority for the use of the San Vicente Reservoir as part of the Emergency Storage Project; and

WHEREAS, the Agreement provides for a Project Review and Coordination Panel to provide for a prompt and orderly means of resolving disputes between staffs of the City and the San Diego County Water Authority in connection with the design and construction of the San Vicente Project and the operation, maintenance, and repair and replacement of the San Vicente Reservoir; and

WHEREAS, in order to fulfill the purposes of the Agreement and the Emergency Storage Project, authorization is sought to obtain professional services from Martin Dense, a qualified independent public finance consultant; Donald H. Babbitt, a qualified independent professional engineer consultant; and John S. Gregg, a qualified independent water resource contract administrator consultant; and

WHEREAS, each professional services contract will continue through December 31, 2014, thus an ordinance adopted by Council to authorize each contract will be required per City Charter, Article VII, Section 99; NOW, THEREFORE:

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

Section 1. That the expenditure of an amount not to exceed \$148,500 from Water Fund 41500 is authorized for contracted professional consulting services provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer; and

Section 2. That the Mayor or his designee is hereby authorized by ordinance to execute one consultant agreement with Martin Dense, for consulting services for the San Diego County Water Authority Emergency Storage Project in an amount not to exceed \$49,500 [Dense Agreement], on file in the Office of the City Clerk as Document No. 20-19693-1

Section 3. That the Mayor or his designee is hereby authorized by ordinance to execute one consultant agreement with Donald H. Babbitt for consulting services for the San Diego County Water Authority Emergency Storage Project in an amount not to exceed \$49,500 [Babbitt Agreement], on file in the Office of the City Clerk as Document No. 1963 -2.

Section 4. That the Mayor or his designee is hereby authorized by ordinance to execute one consultant agreement with John S. Gregg for consulting services for the San Diego County Water Authority Emergency Storage Project in an amount not to exceed \$49,500 [Gregg Agreement], on file in the Office of the City Clerk as Document No. 25633-3.

Section 5. 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.

Section 6. That the City Council finds that this activity is not a project for purposes of review under the California Environmental Quality Act [CEQA], per CEQA Guidelines Section 15060(c)(2).

Section 7. 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.

That this Ordinance shall take effect and be in force on the thirtieth (30<sup>th</sup>) Section 8. day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney  By  Raymond C. Palmucci  Deputy City Attorney
RCP:cq 11/05/2007

Or.Dept: Water Dept.

O-2008-66

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of Diego, at this meeting of \_\_

ELIZABETH S. MALAND City Clerk Vetoed: \_\_\_ (date) JERRY SANDERS, Mayor

## The City of San Diego CERAFICATE OF CITY AUDITOR AND COMPTROL

## CERTIFICATE OF UNALLOTTED BALANCE

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