

2/22/07

60B

RESOLUTION NUMBER R- 302357

DATE OF FINAL PASSAGE FEB 26 2007

WHEREAS, The State of California is providing the City of San Diego with funds pursuant to the Transportation Congestion Improvement Act of 2002 [Proposition 42];

WHEREAS, Proposition 42 restricts the use of funds to the maintenance or reconstruction of public streets or roads;

WHEREAS, Proposition 42 requires cities to maintain general fund expenditures on street and road maintenance at no less than the three year average of the FY 1996/97 through FY 1998/99 levels;

WHEREAS, the Streets Division of the General Services Department estimates that the FY 2007 General Fund street maintenance expenditures exceed the three year FY1996/97 through FY 1998/99 levels by approximately \$16,000,000.00;

WHEREAS, the Streets Division of the General Services Department has identified appropriate capital improvement needs within the City; NOW THEREFORE

BE IT RESOLVED, by the Council of the City of San Diego, that the Auditor and Comptroller is hereby authorized to increase by \$3, 475, 809 the Fiscal Year 2007 Capital Improvement Program Budget in CIP 59-001.0, Annual Allocation – Resurfacing City Streets Fund 30307, Proposition 42;

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$4,379,805, of which \$3,475,809 is from CIP 59-001.0, Annual Allocation – Resurfacing City Streets, Fund 30307, Proposition 42, \$843,754 from CIP 37-028.0,

Annual Allocation – Utilities Underground Program, Fund 30101, Underground Surcharge Fund, \$40,745 from Sewer Revenue Fund 41506, and \$19,497 from Water Department Fund 41500, for the construction contract and related project costs, contingent upon the Auditor and Comptroller first certifying that funds are, or will be, on deposit with the City Treasurer, and.

BE IT FURTHER RESOLVED, that the plans and specifications for “Asphalt Overlay Group II, FY07” that have been or will be advertised by the Contract Administrator for bids are hereby approved, and;

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute a construction contract with the Lowest Responsible and Reliable Bidder for an amount not to exceed \$3,910,540, of which \$3,109,782 is from CIP 59-001.0, Annual Allocation – Resurfacing City Streets, Fund 30307, Proposition 42; \$740,516 from CIP 37-028.0 Annual Allocation – Utilities Underground Program, Fund 30101, Underground Surcharge Fund; \$40,745 from Fund 41506, Sewer Revenue Fund; \$19,497 from Fund 41500, Water Department Fund, contingent upon the Auditor and Comptroller first certifying that funds are, or will be, on deposit with the City Treasurer, and;


BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute a contract extension option when additional funding becomes available, contingent upon the Auditor and Comptroller first certifying that the funds are, or will be on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is hereby authorized, upon advice from the administering department, to transfer any excess funds to the appropriate reserve.

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BE IT FURTHER RESOLVED, that this activity is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15301, as the repair and maintenance of existing facilities.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

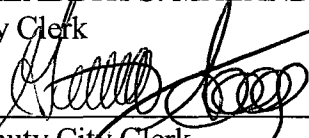
By 

Timothy J. Miller
Deputy City Attorney

TJM:js
1/17/07
Or.Dept:GenSvc/Street Div.
R-2007-712

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 20 2007.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 2-26-07
(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 2700510

ORIGINATING

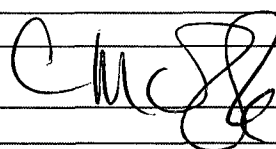
DEPT. NO.: 534

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: \$10,417,649.00 Fund: 30307/30101/41506/41500

Purpose: To authorize and accept the appropriation and expenditure of Proposition 42 Funds. To authorize the appropriation and expenditure of underground, water, and sewer funds. All of the above mentioned are authorized for the purpose of resurfacing streets citywide.

Date: January 24, 2007

By: 

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	30307			9544					\$9,513,653.00
2	0	30101	30244	106	4279	370280				843,754.00
3	0	41506	733	850	4226	8503				40,745.00
4	0	41500	760	586	4210	56517				9,748.50
5	0	41500	760	587	4210	56517				9,748.50
TOTAL AMOUNT										\$10,417,649.00

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: _____

Vendor: _____

Purpose: _____

Date: _____

By: _____

ACCOUNTING DATA

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

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2700510

R-302357

FEB 20 2007