

RESOLUTION NUMBER R- 302591

DATE OF FINAL PASSAGE MAY 14 2007

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

1. That the Mayor, or his designee, is authorized to accept \$412,139 from the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users, California High Priority Project funds (SAFETEA-LU), for the design of Shoal Creek Pedestrian Bridge Over Ted Williams Parkway ("Project"), CIP No. 54-012.0, contingent upon the receipt of an FNM-76 (Version E-76) Caltrans Funding Authorization.

2. That the Auditor and Comptroller is authorized to establish a special interest bearing fund for the SAFETEA-LU funds.

3. That the City Auditor and Comptroller is authorized to transfer TransNet funds in the amount not to exceed \$160,000 from CIP No. 52-765.0, Sorrento Valley Road and Interstate I-5 to CIP No. 54-012.0, Shoal Creek Pedestrian Bridge as matching funds to the Federal grant, for the purpose of providing funds for the Project.

4. That the appropriation and expenditure of an amount not to exceed \$572,139 for the purpose of the design of Shoal Creek Pedestrian Bridge Project, of which \$160,000 is from CIP No. 54-012.0, Shoal Creek Pedestrian Bridge, TransNet Funds, and \$412,139 is from SAFETEA-LU, is authorized solely and exclusively for the purpose of providing funds for the Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

5. That the above expenditure is contingent on appropriate approval and award of one or more contracts for performance of the Watershed Shoal Creek Pedestrian Bridge, if said project will not be performed by City forces, and provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure under such contracts are, or will be, on deposit in the City Treasury.

6. That the Fiscal Year 2007 Capital Improvements Program Budget for CIP No. 54-012.0 is amended by increasing the budget amount by \$412,139.

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

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060(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
04/25/07
Or.Dept:E&CP
Aud.Cert.:2700697
R-2007-1033
MMS#4720

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~MAY 08 2007~~.

ELIZABETH S. MALAND
City Clerk

By Mary Zeman
Deputy City Clerk

Approved: 5.14.07
(date)

JRS
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700697

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: \$160,000.00 Fund: 30300

Purpose: To authorize the transfer of funds from Sorrento Valley Rd to Shoal Creek Pedestian Bridge (540120) for the purpose of providing grant matching funds. Grant total is 412,139. Total required match is 187,861. Remaining 27,861 match provided in FY08 CIP budget

Date: April 17, 2007 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	30244	30244	107	4279	527650		30300		\$160,000.00
TOTAL AMOUNT										\$160,000.00

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: _____

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

AC 2700697

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MAY 08 2007