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9/18

RESOLUTION NUMBER R- 303002
DATE OF FINAL PASSAGE SEP 27 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE APPLICATION FOR AND EXPENDITURE OF GRANT FUNDS FOR THE SHOAL CREEK PEDESTRIAN BRIDGE OVER TED WILLIAMS PARKWAY IN THE CARMEL MOUNTAIN RANCH COMMUNITY PLANNING AREA.

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

1. That the Mayor, or designee, is authorized and empowered for and on behalf of the City to apply for and take all necessary actions to secure \$221,094.00 in grant funding from CALTRANS in Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users, California High Priority Project funds (SAFETEA-LU) for the design and preparation of environmental documents for the Shoal Creek Pedestrian Bridge Over Ted Williams Parkway, CIP No. 54-012.0 [Project].
2. That the Auditor and Comptroller is authorized to take all necessary actions to accept funds if grant funding is received.
3. That the City Auditor and Comptroller is authorized to accept, appropriate and expend \$221,094 in CIP No. 54-012.0, Fund No. 38928, on the Project if the CALTRANS grant is secured.
4. That Fiscal Year 2008 Capital Improvements Program Budget is amended by increasing CIP No. 54-012.0, Fund No. 38928, by \$221,094.00, contingent upon receipt of a fully executed grant agreement.
5. That the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$56,687.00 from Fund No. 59-021.0, Transnet Grant Matches, to CIP No. 54-012.0 ,

Shoal Creek Pedestrian Bridge Over Ted Williams Parkway, within Fund No. 30300, Transnet, for the purpose of providing funds for the Project.

6. That the Mayor be and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with Simon Wong Engineering [Agreement], for the design and preparation of environmental documents in CIP No. 54-0120, Shoal Creek Pedestrian Bridge Over Ted Williams Parkway, in the amount of \$757,867.00 under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR **303002**.

7. That the expenditure of an amount not to exceed \$757,867.00, from CIP No. 54-012.0, is hereby authorized for the purpose of executing the above Agreement, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

8. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess 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
Peter A. Mesich
Deputy City Attorney

PAM:cfq
08/13/07
Or.Dept:E&CP
R-2008-134
Aud.Cert.:2800108

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 18 2007.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 9-27-07
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800108

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: \$134,428.00 Fund: 38928

Purpose: To authorize the acceptance, appropriation and expenditure of grant funds for the purpose of supporting the completion of the Shoal Creek Pedestrian Bridge.

Date: August 9, 2007 By:  Caryn McGriff

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
5	0	38928			9544					\$134,428.00
TOTAL AMOUNT										\$134,428.00

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: \$757,867.00

Vendor: Simon Wong Engineering

Purpose: To authorize the expenditure of funds for the purpose of funding the design and consulting contract for Shoal Creek Pedestrian Bridge

Date: August 9, 2007 By:  Caryn McGriff

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	30244	30244	107	4279	540120				564,334.00
2	0	30244	30244	107	4279	540120		30300		50,000.00
3	0	30244	30244	107	4279	590210		30300		56,867.00
4	0	38928			9544					86,666.00
TOTAL										\$757,867.00

FUND OVERRIDE

AC 2800108

R 303002

SEP 18 2007