

RESOLUTION NUMBER R- 303234

DATE OF FINAL PASSAGE DEC 18 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EMERGENCY REPAIR OF THE SPRUCE STREET PEDESTRIAN BRIDGE IN THE UPTOWN COMMUNITY PLAN AREA.

WHEREAS, the Spruce Street Pedestrian Bridge, between Front Street and Brant Street, was constructed in 1913; and

WHEREAS, a maintenance inspection report detailed that the main suspension cables were exhibiting corrosion, and it was determined that the lead collars, suspender ropes, bridge deck kickplates, and eyebolts would need to be replaced; and

WHEREAS, the maintenance report also determined, due to the age of the bridge, that excavation and inspection of the cable foundation and anchorages would also be necessary; and

WHEREAS, the risk of structural failure to the bridge constituted a threat to the public health, safety and welfare; and

WHEREAS, San Diego City Charter Section 94 requires the Council of the City of San Diego to determine and declare, by two-thirds vote, that the public interest or necessity demands the immediate expenditure of public money to safeguard life, health or property, and expedite the contract process; and

WHEREAS, San Diego Municipal Code Section 22.3212(c) holds that a contract to remedy an emergency that affects public health or safety is not required to be competitively bid provided that the Purchasing Agent immediately reports the emergency award and its justifications to the City Council and the Council by resolution acknowledges and ratifies the procurement; NOW, THEREFORE,

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

1. That the severity of the maintenance report, and consequently, the possibility of failure of the Spruce Street Bridge is declared to constitute an emergency within the meaning of the City of San Diego Charter Section 94 and that the immediate repair of the pedestrian bridge was necessary to remediate that emergency.

2. That the Fiscal Year 2008 Capital Improvement Program Budget is amended by adding CIP No. 54-013.0, Spruce Street Pedestrian Bridge Emergency Repair [Project]:

3. That the Fiscal Year 2008 Capital Improvements Program Budget for CIP No. 54-013.0, Spruce Street Pedestrian Bridge Emergency Repair, is amended by increasing the budget amount by \$78,818 in Fund No. 630221, Contributions to the CIP from Fund 100.

4. That the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$78,818 from Fund 100, General Fund, General Services Department 534, to Fund 630221, Contributions to the CIP from Fund 100, for the purpose of emergency repairs located on the Spruce Street Pedestrian Bridge.

5. That the appropriation and expenditure of an amount not to exceed \$78,818 from CIP No. 54-013.0, Spruce Street Pedestrian Bridge Emergency Repair, Fund 630221, Contributions to the CIP from Fund 100, 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.

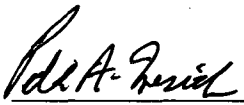
6. That the Mayor is authorized to award a contract to, and to execute a contract with, Erreca's Incorporated for completion of the Project, on file in the Office of the City Clerk as Document No. W.O. 742402 in an amount not to exceed \$66,652, provided that the City Auditor

and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

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 statutorily exempt from CEQA pursuant to State CEQA Guidelines Section 15269. Exempt for emergency.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Peter A. Mesich
Deputy City Attorney

PAM:cfq
10/24/07
11/15/07 COR.COPY
Aud.Cert.:2800287
Or.Dept:E&CP
R-2008-358

I hereby certify that the foregoing Resolution 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 2800287

ORIGINATING

DEPT. NO.: 050

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: \$12,166.00 Fund: 100

Purpose: Labor and City Administration costs.

Date: _____ By: Jessica Olson

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	100	534	2754	4209	005253				\$12,166.00
TOTAL AMOUNT										\$12,166.00

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: \$66,652.00

Vendor: Erreca's Incorporated

Purpose: Authorize the addition of CIP No. 54-013.0 to FY08 CIP and the transfer of \$78,818 from GF 100, Dept. 534 to fund 630221. Authorizing the city auditor and comptroller to increase the FY08 CIP budget in CIP 54-013.0 and appropriate and expend \$78,818 for CIP 54-013.0, fund 630221 for emergency repairs of Spruce St Ped Bridge.

Date: October 12, 2007 By: Jessica Olson

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	100	534	2754	4209	005253				66,652.00
TOTAL										\$66,652.00

FUND OVERRIDE

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