

334

(R-2008-449)
(COR.COPY 2)
(REV. COPY)

12/4

RESOLUTION NUMBER R- 303265

DATE OF FINAL PASSAGE DEC 18 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE SOLEDAD MOUNTAIN ROAD EMERGENCY REPAIR IN THE PACIFIC BEACH PLANNING AREA.

WHEREAS, on October 3, 2007 a landslide occurred underneath the 5700 block of Soledad Mountain Road; and

WHEREAS, on October 5, 2007 the Council of the City of San Diego adopted Resolution No. R- 30341, declaring a local state of emergency regarding the landslide; and

WHEREAS, the Council of the City of San Diego must ratify City contracts according to San Diego City Charter Section 94, NOW THEREFORE

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

1. That the Fiscal Year 2008 Capital Improvement Program Budget is amended by adding CIP No. 52-805.0, Soledad Mountain Road Emergency Repair [Project].

2. That the Fiscal Year 2008 Capital Improvements Program Budget in CIP 52-805.0, Soledad Mountain Road Emergency Repair, is amended by increasing the budget amount by \$20,000,000, contingent upon the City Auditor and Comptroller first certifying that funds are, or will be, on deposit with the City Treasurer.

3. That City Auditor and Comptroller is authorized to de-appropriate an amount not to exceed \$3,500,000 in Fund No. 30300, TransNet, from the following CIPs:

CIP 59-021.0 Transportation Grant Matches	\$ 930,000
CIP 13-502.0 Fashion Valley Road Restoration	\$ 820,000
CIP 68-006.0 Guardrails – Citywide	\$ 250,000
CIP 68-600.7 Carmel Country Rd., Clairemont Dr., Zest Street Guardrails	\$ 250,000

CIP 58-203.0 Taylor Street Bikeway	\$ 250,000
CIP 29-692.0 Public Roads Supporting Park Access	\$ 250,000
CIP 61-001.0 Traffic Control/Calming Measures	\$ 200,000
CIP 68-011.0 Cooperative Signal Projects	\$ 200,000
CIP 63-002.0 Obsolete Controller Replacement	\$ 150,000
CIP 52-533.0 Mission Beach Boardwalk Widening	\$ 100,000
CIP 52-523.3 Voltaire Street Bridge Rehabilitation	\$ 100,000

4. That the appropriation and expenditure of an amount not to exceed \$3,500,000 from Fund No. 30300, TransNet, CIP No. 52-805.0, Soledad Mountain Road Emergency Repair, 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 City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer an amount not to exceed \$2,000,000 from the General Fund appropriated reserves, Fund No. 100 Dept. No. 602, to Fund No. 630221, General Fund Contributions to the CIP.

6. That the appropriation and expenditure of an amount not to exceed \$2,000,000 in Fund No. 630221, General Fund Contributions to the CIP, CIP 52-805.0, is authorized solely and exclusively for the purpose of providing funds for 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.

7. That the City Auditor and Comptroller is authorized to de-appropriate an amount not to exceed \$1,350,000 in Fund 30307, Prop 42, from CIP 59-001.0, Annual Allocation – Resurfacing City Streets.

8. That the appropriation and expenditure of an amount not to exceed \$1,350,000 in Fund 30307, Prop 42, CIP 52-805.0, Soledad Mountain Road Emergency Repair, is authorized solely and exclusively for the purpose of providing funds for 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. It is further provided that Fund 30307, Prop 42, monies shall only be expended on street and highway maintenance, rehabilitation, reconstruction, or storm damage repair.

9. That the appropriation and expenditure of an amount not to exceed \$650,000 from Fund 30307, Prop 42, Unallocated Fund Balance Reserves, CIP 52-805.0, Soledad Mountain Road Emergency Repair, 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. It is further provided that Fund 30307, Prop 42, monies shall only be expended on street and highway maintenance, rehabilitation, reconstruction, or storm damage repair.

10. That the Mayor, or his designee, is authorized to make application to, and take all necessary actions to secure funding from, the State and/or Federal government for grant funds for the completion of the Soledad Mountain Road Emergency Repair Project.

11. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to establish separate special interest bearing funds for the State and/or Federal grant funds.

12. That the Mayor, or his designee, is authorized to appropriate and expend additional grant funding sources in an amount not to exceed \$12,500,000 for the completion of CIP 52-805.0, Soledad Mountain Road Emergency Repair, contingent upon the City Auditor and Comptroller certifying fund availability and the appropriation does not result to an increase to the overall General Fund budget.

13. That the City Auditor and Comptroller is authorized to accept, appropriate and expend grant funds in an amount not to exceed \$7,500,000 for the purpose of reimbursing previously incurred costs within Funds 30300, 630221, and 30307 for CIP 52-805.0, Soledad Mountain Road Emergency Repair, contingent upon the City Auditor and Comptroller certifying fund availability and the appropriation does not result to an increase to the overall General Fund budget.


14. That the Mayor or his designee is directed and authorized to repay the CIP funds from which the money was borrowed pursuant to this resolution.

15. That the City Auditor and Comptroller, upon direction from the administering department, is authorized to re-appropriate funds to the originating sources within Funds 30300, 630221, and 30307 as identified in resolutions 1, 3, & 5 above; or to return excess budgeted funds, if any, to the appropriate reserves.

16. That the Council of the City of San Diego hereby ratifies a sole source construction contract with Hazard Construction Company for remediation of the landslide area, in an amount not to exceed \$15,000,000, under the terms and conditions set forth in the agreement on file in the office of the City Clerk as Document No. RR 303265

BE IT FURTHER RESOLVED, that this activity is exempt from CEQA pursuant to State
CEQA Guidelines Section 15269(a).

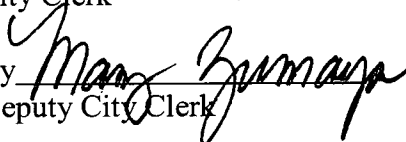
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Peter A. Mesich
Deputy City Attorney

PAM:cfq
11/19/07
12/3/07 COR.COPY 2
12/4/07 REV.COPY
Or.Dept:E&CP
Aud.Cert.:2800390
R-2008-449

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: 12.15.07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor