

RESOLUTION NUMBER R- 303742

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION OF THE CITY OF SAN DIEGO TRANSFERRING
AND EXPENDING FUNDS FOR STORM WATER QUALITY
IMPROVEMENTS UNDER WATERSHED CAPITAL PROJECTS

WHEREAS, the City's Watershed Capital Projects Allocation allocates funding for Watershed Capital Projects to improve storm water quality, and

WHEREAS, funding for the Watershed Capital Projects Allocation requires the transfer and expenditure of funds from the Storm Water Pollution Prevention Division, and

WHEREAS, the Fiscal Year 2008 Capital Projects Allocation was approved by the Natural Resources & Culture Committee on February 27, 2008 with direction to include a list of projects to provide storm water quality improvements to receive such funding, NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that in accordance with the annual appropriation ordinance, the City Auditor and Comptroller is authorized to amend the Fiscal Year 2008 Capital Improvement Program budget by increasing CIP 12-159.0, Watershed Capital Projects Annual Allocation, in Fund No. 630221, General Fund Contributions to CIP, by the amount of \$4,775,446.


BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is further authorized to transfer the amount of \$4,775,446 from General Fund No. 100, General Services Department, Storm Water Pollution Prevention Division Operating Fund (Dept #533), to Fund No. 630221, General Fund Contributions to CIP, CIP 12-159.0, Watershed Capital Projects Annual Allocation

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$4,775,446 from Fund No 630221, General Fund Contributions to CIP, CIP 12-159.0, Watershed Capital Projects Annual Allocation, is authorized, solely and exclusively to provide funds for design of Fiscal Year 2008 Watershed Capital Projects, as identified in Report to City Council No. 08-081.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

BE IT FURTHER RESOLVED, that the above activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3).

APPROVED MICHAEL J AGUIRRE, City Attorney

By 
Frederick M. Ortlieb
Deputy City Attorney

FMO:mb
05/06/08
Aud.Cert:2800762
Or.Dept:GenSvc
R-2008-907

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of MAY 27 2008.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 5.30.08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2800762
DEPT NO 533

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 \$4,775,446 00 Fund 100

Purpose To authorize the transfer of \$4,775,446 from General fund Storm Water Pollution Prevention Division operating fund to fund 630221 in order to fund CIP 12-159300

Date May 2, 2008 By Jessica Olson *Jessica Olson*

ACCOUNTING DATA											
ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
001	0	100	533	2150	4151	007816					\$4,775,446 00
TOTAL AMOUNT											\$4,775,446 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											

R 303742 MAY 27 2008 AC 2800762

RESOLUTION NUMBER R- 303743

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION AUTHORIZING EXECUTION OF PROPOSITION 50 GRANT FUNDING AGREEMENT; AUTHORIZING THE EXPENDITURE OF FUNDS; AND TAKING RELATED ACTIONS.

WHEREAS, in September 2004, under the Proposition 50 Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 [Proposition 50], the California Department of Public Health [CDPH] solicited projects for drinking water source protection, water security and for the reduction of demand on Colorado River water; and

WHEREAS, on September 26, 2006, based upon a favorable ranking by CDPH, the City of San Diego Water Department submitted a full project application for the Alvarado Water Treatment Plant Upgrade & Expansion Project, Phase IV [Project] to aid in meeting the State of California's commitment to the reduction of demand on Colorado River water; and

WHEREAS, on November 30, 2007, a Letter of Commitment [LOC] designated P50-3710020-032 for \$20,000,000 in Proposition 50 grant funds was issued by CDPH for the Project, subject to terms and conditions; and

WHEREAS, City adopted a Project budget totaling \$63,271,363, with the remaining \$43,271,363 of Project costs to be funded by, through, or with water rates, charges and assessments, bond proceeds and financing; and

WHEREAS, prior to the State issuing a Proposition 50 Funding Agreement for the Project [Funding Agreement], City is required to adopt a resolution dedicating a source of revenues for matching funds, authorizing an officer to execute said Proposition 50 Funding Agreement and

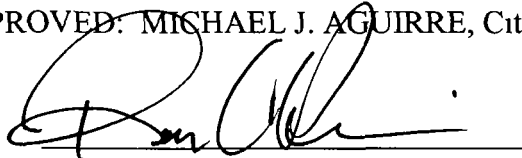
amendments, and designating persons to approve claims and sign Project related forms; NOW,
THEREFORE,

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

1. That the Mayor or his designee is authorized and empowered to execute, for and on behalf of said City, a Proposition 50 Funding Agreement for the Project, any Amendments and Claims for Reimbursement, and Final Release for the Project, as set forth in the Proposition 50 Funding Agreement on file in the office of the City Clerk as Document No. RR 303743
2. That the City Engineer or other registered engineer as designated by the Mayor, is authorized to execute the Budget and Expenditure Summary and Certificate of Project Completion forms for the Project.
3. That the City Council hereby designates revenues from the Water Fund, Fund No 41500, and from water rates, charges and assessments, bond proceeds and financing as the dedicated source of revenue for matching funds for the Project as required under the Funding Agreement in an amount not to exceed \$43,271,363, and this dedication shall remain in full force and effect until such Funding Agreement is fully discharged unless modification or change of such dedication is approved by the State of California.
4. That the City Auditor and Comptroller is authorized to accept, appropriate, and expend up to \$20,000,000 in grant funds solely and exclusively for Project purposes, contingent upon first furnishing one or more certificates certifying that the funds 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 excess funds, if any, to the appropriate reserves.

6. That this activity is covered under the Alvarado Water Treatment Plant Upgrade and Expansion (LDR 98-0130) Environmental Impact Report, that this activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review and that the prior environmental documents adequately covered this activity as part of a previously approved project, thus this activity is not a separate project for purposes of review under the California Environmental Quality Act [CEQA] per CEQA Guidelines Sections §15060(c)(3) and 15378(c).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Raymond C. Palmucci
Deputy City Attorney

RCP js
05/09/2008
Or.Dept. Water
R-2008-1048

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5-30-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

104

(a-h)

RESOLUTION NUMBER R- 303744

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE A CONCESSION AGREEMENT WITH SURF DIVA, INC. FOR THE OPERATION OF SURF CAMPS ON CITY BEACHES.

WHEREAS, in 2002, the community recognized there was a significant impact from surf camp operators on public beaches; and

WHEREAS, the Park & Recreation Department together with Lifeguard Services, designated specific shoreline sites and implemented a permit process for surf camps; and

WHEREAS, to ensure standards of training, professionalism and liability were maintained, the City became involved with the surf camps; and

WHEREAS, in 2004, the Real Estate Assets Department issued a Request for Proposal (RFP) inviting surf camp operators to bid on any number of sites under the terms of the RFP; and

WHEREAS, the City granted three-year agreements to eight operators located on City beaches, including Ocean Beach, Mission Beach, Pacific Beach and La Jolla Shores; and

WHEREAS, the City has received combined rents from the surf concessions averaging \$148,000 per year; and

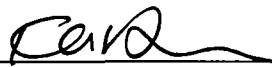
WHEREAS, the existing agreement expires on May 31, 2008; NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor and/or designee is hereby authorized to execute a new 64-month concession agreement with Surf Diva, Inc., for the operation of Surf Camps on City Beaches, specifically La Jolla Shores sites 1, 2

and 3, under the terms and conditions set forth in the agreement on file in the office of the City Clerk as Document No. RR 303744.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego finds that this activity is not a project and is therefore not subject to from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3).

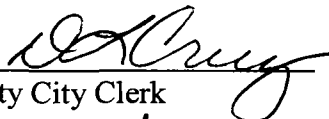
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Kimberly Ann Davies
Deputy City Attorney

KAD:mm
05/13/08
Aud. Cert: N/A
Or.Dept:Park & Rec
R-2008-925
MMS# 6156

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5-30-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor