

RESOLUTION NUMBER R- 303803

DATE OF FINAL PASSAGE JUN 13 2008

A RESOLUTION OF THE CITY OF SAN DIEGO DIRECTING
DISBURSEMENT OF MONIES TO THE WATER DEPARTMENT
AND ENVIRONMENTAL SERVICES DEPARTMENT IN
REIMBURSEMENT OF COSTS INCURRED IN CONNECTION
WITH THE QUALCOMM STADIUM CLEANUP MATTER.

WHEREAS, pursuant to Cleanup and Abatement Order No. 92-01 the San Diego Regional Water Quality Control Board [Water Board] ordered the responsible parties to cleanup the soil and groundwater underlying the Qualcomm Stadium property which was contaminated from the discharge of petroleum products at the Mission Valley Terminal; and

WHEREAS, Shell Oil Products US [Shell] subsequently entered into a settlement with the City for some unrelated diesel-fuel contamination in the area of its leased terminals, which included payment to the City of \$1,000,000; and

WHEREAS, the funds from the Shell settlement were intended to be used to defray expenses incurred by the City in its ongoing efforts to ensure remediation of the soil and groundwater underlying the Qualcomm property and related litigation, including reimbursing expenses incurred by the Water Department for consultant services, attorney services, staff and other expenses related to those efforts; and

WHEREAS, to date, the Water Department has incurred expenses of approximately \$472,000, including expenses advanced by the Environmental Services Department, in support of the remediation efforts; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Auditor and Comptroller is authorized and directed to disburse monies received from the Shell settlement, Mission Valley Terminal Settlement Fund No. 10705, to reimburse expenses incurred by the

Water Department for staff, consultant, and outside counsel services, and attorney and staff expenses incurred by the Refuse Disposal Enterprise Fund of the Environmental Services Department in support of the City's efforts to remediate the contamination of soil and groundwater underlying the Qualcomm Stadium property.

BE IT FURTHER RESOLVED, that the above activity is statutorily exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15262 because the activity involves feasibility and planning studies for future action by the City.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Grace C. Lowenberg
Grace C. Lowenberg
Deputy City Attorney

GCL:mb
05/23/08
Aud.Cert:N/A
Or.Dept:Water
Wtr 14-08-025
R-2008-1046

I hereby certify that the foregoing Resolution was passed by the Council of the City of Diego, at its meeting of JUN 10 2008.

ELIZABETH S. MALAND, City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved: 6.13.08
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

R - 1046

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

000477

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2800816
 DEPT
 NO 760

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 _____

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

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 \$200,000 00

Vendor INTERA Inc

Purpose Authorize fifth ammendment to existing agreement with INTERA Inc , to add three years and additional funding of \$200,000 to continue environmental consulting services and documentation for (RWQCB) Authorizing the expenditure of \$200,000 from Water Dept FY2008 Operating Budget, fund 41500, org 8320

Date May 22, 2008 By Norman Reyes
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	41500	760	8320	4222	832005				\$200,000 00
TOTAL AMOUNT										\$200,000 00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2800816

R

JUN 10 2008