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RESOLUTION NUMBER R- 304566

DATE OF FINAL PASSAGE JAN 23 2009

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS, AND ADDITIONAL EXPENDITURE OF FUNDS REGARDING PALM AVENUE ACCELERATED SEWER

WHEREAS, Palm Avenue Accelerated Sewer [Project] is part of the City of San Diego's continuing Annual Sewer Main Replacement Program;

WHEREAS, this Project is located in the Otay Mesa/Nestor community and includes the replacement of approximately 1,980 linear feet of existing 10 inch vitrified clay sewer mains with 15 inch sewer mains;

WHEREAS, on September 15, 2003, the Council of the City of San Diego [the Council] approved Resolution R-298365 for an expenditure in the amount of \$8,000 for acquisition costs related to the exchange of easements related to this Project, and on June 7, 2004, the Council approved Resolution 299285 for an expenditure in the amount of \$1,895,000 for the purpose of providing funds for the Project and related costs. The bids exceeded the engineer's estimate and were rejected, and due to lack of funding, the Project did not move forward;

WHEREAS, on October 9, 2007, the Council approved Resolution R-303054 for an expenditure in the amount of \$2,805,985 for the purpose of providing funds for the Project and related costs, and the transfer of \$2,369,485 from Sewer Fund 41506, CIP 46-194-0, Annual Allocation - Pump Station Restoration, and \$100,000 from Sewer Fund 41506, CIP 46-194-0, Annual Allocation - Trunk Sewer Rehabilitations to Sewer Fund 41506, CIP 46-206.0 Annual Allocation - Accelerated Projects;

WHEREAS, additional funding is needed due to unforeseen conditions of excessive groundwater in the trenches, encountering a large electrical bank in direct conflict with the alignment, unstable soil conditions causing the trench width to be in excess of twenty-two feet in some places, a highline system installed to discharge the excessive groundwater to a downstream manhole which requires a revised alignment and night work for the duration of the project, and Cal Trans pavement restoration requirements that are now more stringent and costly; NOW, THEREFORE,

BE IT RESOLVED, that the City Auditor and Comptroller is authorized to transfer \$853,147 from Sewer Fund 41506, CIP 44-001.0, Annual Allocation – Sewer Main Replacements to Sewer Fund 41506, CIP 46-206.0 Annual Allocation-Accelerated Projects for the purpose of funding pending and future change orders.

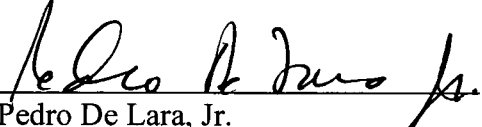
BE IT FURTHER RESOLVED, that the additional expenditure of an amount not to exceed \$474,637.94 from Sewer Fund 41506, CIP No. 46-206.0, Annual Allocation – Accelerated Projects is authorized for the construction, contingency, and Project related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the expenditure of an additional \$2,500 is authorized in property related cost from Sewer Fund 41506, CIP 46-206.0, Annual Allocation-Accelerated Projects.

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

BE IT FURTHER RESOLVED, that this activity is statutorily exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines section 15282 (k) as the repair and replacement of an existing pipeline less than one mile in length.

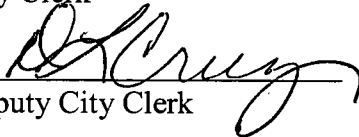
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Pedro De Lara, Jr.
Deputy City Attorney

PDJ:js
12/01/2008
Or.Dept: E&CP
R-2009-715

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 6 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1-23-09
(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 2900397
 ORIGINATING DEPT. NO.: 773

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: \$853,147.00 Fund: 41506

Purpose: Authorizing the transfer of funds from AA CIP 440010, Sewer Main Replacements to AA CIP 462060, Accelerated Projects for Palm Avenue Accelerated Sewer Project.

Date: November 18, 2008 By: Van Nguyen
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	41506	773	960	4278	440010				\$853,147.00
TOTAL AMOUNT										\$853,147.00

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: November 18, 2008 By: _____
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

R-304566

JAN 06 2009

AC 2900397