

RESOLUTION NUMBER R- 304825

DATE OF FINAL PASSAGE MAY 04 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A THIRD AMENDMENT TO AN AGREEMENT WITH LAGUNA MOUNTAIN ENVIRONMENTAL, INC. FOR AS-NEEDED ARCHAEOLOGICAL MONITORING.

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


1. That the Mayor or his designee is hereby authorized and empowered to execute, for and on behalf of said City, a third amendment to an agreement with Laguna Mountain Environmental, Inc., for consultant services and increase the maximum contract amount from \$1,400,000 to \$2,100,000 under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 304825, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Mayor or his designee shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

2. That the City Auditor and Comptroller is hereby authorized solely and exclusively to appropriate and expend an amount not to exceed \$700,000 from CIP No. 370280, Job Order No. 373027, Review for Various Underground Project, Fund No. 30101, Underground Surcharge-CIP, for the purpose of executing the third amendment to the agreement, 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.

3. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Sections 15060(c)(3).

APPROVED: Jan I. Goldsmith, City Attorney

By   
Ryan Kohut  
Deputy City Attorney

RK:cfq  
12/02/08  
AC:2900412  
Or.Dept:E&CP  
R-2009-716

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 21 2009.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-9-09  
(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 2900412  
ORIGINATING DEPT. NO.: 446

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: \_\_\_\_\_ Fund: \_\_\_\_\_

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
TOTAL 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: \$700,000.00

Vendor: Laguna Mountain Environmental

Purpose: Authorize the expenditure of funds for the 3rd Amendment to the Agreement for the Archaeological Monitoring for Various Underground Utilities Projects. CIP 37-028.0 Job Order 373027

Date: November 21, 2008 By: Rob Ruscitto  
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		30244	106	4279	373027				\$700,000.00
TOTAL AMOUNT										\$700,000.00

FUND OVERRIDE

AC 2900412