

RESOLUTION NUMBER R- 304839

DATE OF FINAL PASSAGE MAY 04 2009

A RESOLUTION AUTHORIZING THE TRANSFER AND EXPENDITURE OF FUNDS AND AUTHORIZING THE FOURTH AMENDMENT TO AGREEMENT FOR THE BALBOA PARK ORNAMENTATION.

WHEREAS, on March 17, 2003, the Council authorized the City Manager, or designee, to secure \$6 million in State of California 2002 Resource Park Bond funds for the construction of cultural and historical projects in Balboa Park, to include the reconstruction of the West Arcade, construction of the Veterans Memorial Garden, and restoration of historic ornamentation on the Museum of Man/California Tower, the Museum of Art, and the Casa del Prado [Project]; and

WHEREAS, on September 27, 2004, by Resolution No. R-299686, the City Council authorized an Agreement with Heritage Architecture & Planning [Consultant] for Professional Architectural and Engineering Services for the Project in the amount of \$500,000; and

WHEREAS, on May 16, 2006, by Resolution No. R-301445, the City Council authorized the First Amendment to Agreement for the Consultant to provide additional Professional Architectural and Engineering Services in an amount not to exceed \$144,063.00; and

WHEREAS, on January 30, 2007, by Resolution No. R-302318, the City Council authorized the Second Amendment to Agreement for the Consultant to provide additional Professional Architectural and Engineering Services in an amount not to exceed \$37,560.00; and

WHEREAS, on September 2, 2008, by Resolution No. R- 304039, the City Council authorized the Third Amendment to Agreement for the Consultant to provide additional Professional and Architectural and Engineering Services in an amount not to exceed \$14,362.00; and

WHEREAS, the City desires to execute a Fourth Amendment to Agreement for the Consultant to provide additional Professional and Engineering Services for construction administration for a compensation amount not to exceed \$10,693.00, with a total compensation for services provided under the Agreement and subsequent amendments not to exceed \$706,678.00; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the transfer of funds in the amount of \$28,934.33 from CIP No. 22-963.0, Fanuel Street Park Walkway Reconstruction to CIP No. 21-855.0, Job Order No. 218554, Balboa Park Ornamentation/Cultural Projects (Casa del Prado) within Fund No. 630221, General Fund Contributions to the CIP is authorized.

BE IT FURTHER RESOLVED, that the Fourth Amendment to Agreement with Heritage Architecture and Planning for professional services for extended scope of work on CIP No. 21-855.0, Balboa Park Ornamentation/Cultural Projects (Museum of Man/California Tower, Museum of Art, Casa del Prado) in the amount of \$10,693.00, increasing the total amount to \$706,678.00, is authorized.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore not subject o the California Environmental Quality Act [CEQA] per CEQA Guidelines section 15060(c)(3). The construction project for which this activity is associated is Categorically Exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA

Guidelines section 15331, Historical Resources Restoration/Rehabilitation (Project Number 96322, dated April 4, 2006).

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon Thomas
Shannon Thomas
Deputy City Attorney

ST:pev
03/17/09
Aud.Cert:2900597
Or.Dept:P&R
R-2009-889
MMS #7330

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 28 2009.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 5-4-09
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

The City of San Diego
 CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2900597
 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: \$28,934.33 Fund: 630221

Purpose: Authorizing the transfer, appropriation and expenditure of funds from CIP 22-963.0 Fanuel St Park Walkway Reconstruction to CIP 21-855.0 Balboa Park Ornamentation/Cultural Projects, Job Order 218554 Casa Del Prado from fund 630221.

Date: February 18, 2009 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	104	4279	229630		630221		28,934.33
TOTAL AMOUNT										\$28,934.33

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: February 18, 2009 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
TOTAL AMOUNT										

FUND OVERRIDE

R-304839