

(R-2009-1148)

HEET

331
6/2

RESOLUTION NUMBER R- 304951

DATE OF FINAL PASSAGE JUN 12 2009

A RESOLUTION OF THE CITY OF SAN DIEGO AUTHORIZING A CIP FOR ALTA LA JOLLA DRIVE STORM DRAIN EROSION REPAIRS, PHASE II; TRANSFERRING AND EXPENDING FUNDS FROM SUCH CIP; ACCEPTING FUNDS FROM THE CITY'S EXCESS INSURANCE CARRIER FOR THE REPAIRS; AND AUTHORIZING A SOLE SOURCE AGREEMENT WITH GEOSYNTEC CONSULTANTS TO COMPLETE THE REPAIRS.

WHEREAS, in settlement of *La Jolla Alta Master Council v. City of San Diego*, San Diego Superior Court Case No. GIC 822281, the City agreed to complete a Phase II of the Alta La Jolla Drive Drainage Repair Project [Phase II]; and

WHEREAS, the settlement was executed by City insurers CSAC Excess Indemnity Authority and AIG Domestic Claims, Inc., and these insurers will fund design and construction of Phase II; and

WHEREAS, due to their familiarity and prior involvement with this La Jolla Alta Drive drainage matter, Geosyntec Consultants has been selected to complete Phase II; and

WHEREAS, the above funding activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3); NOW, THEREFORE,

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

1. That the City Comptroller is authorized to amend the annual appropriation ordinance by increasing the Fiscal Year 2009 Capital Improvement Program budget to add CIP 12-163.0, Alta La Jolla Drive Drainage Repair Project, Phase II, in the amount of \$1,006,105; provided

that the Comptroller first furnishes one or more certificates demonstrating that the funds are, or will be, on deposit with the City Treasurer.

2. That the City Comptroller is further authorized to accept, appropriate, and expend funds received from the City's insurance carriers for the above project.

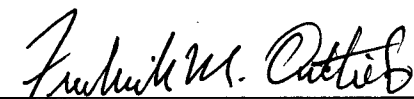
3. That the Mayor or his designee is authorized to execute, for and on behalf of the City, a sole source agreement with Geosyntec Consultants, for professional services in connection with Alta La Jolla Drive Drainage Repair Project, Phase II, under the terms and conditions set forth in the Agreement, on file with the City Clerk as Document No. RR- 304951.

4. That the expenditure of a amount not to exceed \$699,899 from Fund No. 63022, CIP 12-063.0, Alta La Jolla Drive Drainage Repair Project, Phase II, is authorized, solely and exclusively to provide funds for the Geosyntec agreement, provided that the City Comptroller furnishes one or more certificates demonstrating that the funds are, or will be, on deposit with the City Treasurer.

5. That the City Comptroller is authorized to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Frederick M. Ortlieb
Deputy City Attorney

FMO:mb
05/12/09
Aud.Cert:N/A
Or.Dept:Eng&CP
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I hereby certify that the foregoing Resolution was passed by the Council of the City of Diego,
at its meeting of JUN 02 2009.

ELIZABETH S. MALAND, City Clerk

By *Jana Richards*
Deputy City Clerk

Approved: 6.12.09
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor