

RESOLUTION NUMBER R- 305022

DATE OF FINAL PASSAGE JUL 02 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE FIRST AMENDMENT TO THE AGREEMENT WITH RECON ENVIRONMENTAL, INC. TO PROVIDE ENVIRONMENTAL TECHNICAL SERVICES FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE OTAY MESA COMMUNITY PLAN UPDATE.

WHEREAS, the Otay Mesa Community Plan Update [OMCP Update] has been in the process for several years, and the City Council has appropriated funds for the completion of the OMCP Update; and

WHEREAS, the Environmental Impact Report for the OMCP Update requires the preparation of an Air Quality and Health Risk Assessment Technical Report; and

WHEREAS, negotiations with ENVIRON, Holdings, Inc. to provide the required Air Quality and Health Risk Assessment Technical Report were terminated because Environ, Holdings, Inc. could not agree to the terms required by the City; and

WHEREAS, the City previously entered into Contract Number H084422 [Agreement] with RECON Environmental, Inc. to provide a portion of the environmental services for the completion of the Otay Mesa Community Plan Update; and

WHEREAS, RECON Environmental, Inc. refined the original scope of services for the required Air Quality and Health Risk Assessment Technical Report and determined that its in-house experts could perform the tasks needed to generate the Air Quality and Health Risk Assessment Technical Report in addition to the services already contracted for under the prior Agreement; and

WHEREAS, this activity is statutorily exempt from the California Environmental Quality Act [CEQA] on the basis that the project only involves planning studies for possible future actions pursuant to CEQA Guidelines section 15262; NOW, THEREFORE,

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

1. That the Mayor, or designee, is authorized to execute, sign, and award the First Amendment to the Agreement Between the City of San Diego and RECON Environmental, Inc. for the Environmental Impact Report for the Otay Mesa Community Plan Update (Contract H084422), to provide additional services relating to the Air Quality Technical Study for an additional \$54,400.00, thus amending Contract H084422 for environmental review services from the original amount of \$185,477.50 to a total amount not to exceed \$239,877.50, under the terms and conditions set forth in the Agreement, as amended, on file in the office of the City Clerk as Document No. RR 305022.

2. That the City Comptroller is authorized to expend an additional amount not to exceed \$54,400.00 from Fund 100, Job Order 007239 for the purpose of providing funds for the above referenced Agreement, as amended, contingent upon the City Comptroller first certifying funds for this action are available.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Nina M. Fain
Deputy City Attorney

NMF:pev
05/01/09
Aud.Cert: 2800413
Or.Dept:CP&CI
R-2009-1134
MMS #8949

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of June 23, 2009

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-2-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

file

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800413

ORIGINATING DEPT. NO.: 85

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: \$800,000.00 Fund: 100

Purpose: Authorize the City Auditor & Comptroller to transfer \$800,000.00 of appropriations from the General Fund Appropriated Reserve to the City Planning and Community Investment Department for the completion of the Otay Mesa Community Plan Update. Authorize the Mayor, or designee, to execute all documents necessary for the completion of above stated project.

Date: November 27, 2007

By: *Pam Hallbert* 11/27/07
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	100	602		4881	000602					\$800,000.00
TOTAL AMOUNT											\$800,000.00

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: _____

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											

AC-361 (REV 2-82)

FUND OVERRIDE:

AC 2800413

" original not available "

\$ 305022

JUN 22 2009