

(O-2010-94) 57  
5/18

ORDINANCE NUMBER O- 19958 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 27 2010

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A SECOND AMENDMENT TO THE AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO (SCRIPPS INSTITUTION OF OCEANOGRAPHY) FOR THE EVALUATION OF ANTHROPOGENIC IMPACTS ON THE SAN DIEGO COASTAL ECOSYSTEM; AUTHORIZING THE EXPENDITURE OF FUNDS; AND RELATED ACTIONS

WHEREAS, the City of San Diego's Public Utilities Department has an on-going ocean monitoring program in support of its wastewater treatment and disposal operations and as part of its requirements under its National Pollution Discharge Elimination System [NPDES] permits; and

WHEREAS, by Resolution No. R-301549 the Council of the City of San Diego [Council] authorized an agreement with the Regents of the University of California, San Diego for its Scripps Institution of Oceanography [SIO] to perform evaluation and monitoring services of the local coastal ecosystem in support of the City of San Diego's ocean monitoring program [Agreement], which Agreement was phase-funded over four years from 2006 to 2010; and

WHEREAS, the City and SIO subsequently executed a first amendment to the Agreement to clarify the contract duration; and

WHEREAS, the City and SIO mutually desire to further amend the Agreement to extend the period of performance for an additional four years until 2014, modify the scope of services, and increase the Agreement funding; and

WHEREAS, under Charter Section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by ordinance approved by a two-thirds' majority vote of the Council; NOW THEREFORE,

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

Section 1. That the Mayor, or his designee, is authorized to execute a four-year phase funded second amendment to the Agreement with SIO for an amount not to exceed \$1,499,721, under the terms and conditions set forth in the document on file in the office of the City Clerk as Document No. OO- **19958**.

Section 2. That the Chief Financial Officer as delegated to Financial Management is authorized to appropriate, and the City Comptroller is authorized to expend, from Public Utilities Department, Wastewater Fund 700001, the following amounts for the corresponding phases, the total amount of which is not to exceed \$1,499,721, for the second amendment to the Agreement, provided that the Chief Financial Officer first issues one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer and contingent upon Council approving sufficient funding in each fiscal year:

Phase 5: \$344,516 (FY 2010)

Phase 6: \$365,649 (FY 2011)

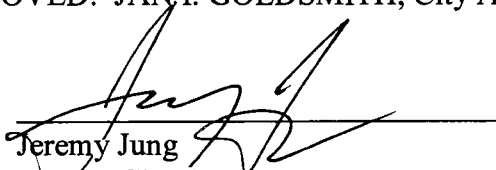
Phase 7: \$382,897 (FY 2012)

Phase 8: \$406,659 (FY 2013).

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the Council and the public a day prior to its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Jeremy Jung  
Deputy City Attorney

JAJ:ca  
CC: 3000003194  
Or.Dept: MWWD  
O-2010-94

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 18 2010.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-27-10  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

The City of San Diego  
**COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO.: CC 3000003194

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: \_\_\_\_\_  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
<b>TOTAL AMOUNT</b>									

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: \_\_\_\_\_ \$344,516.00

Vendor: UCSD

Purpose: Authorizing the expenditure of funds for the evaluation of anthropogenic Impacts on the San Diego coastal ecosystem.  
2nd Amendment

Date: April 1, 2010 By: Weihong Dai  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
001	700001			OTHR-00000000-PR	512059	2012	2012121111		\$344,516.00
<b>TOTAL AMOUNT</b>									\$344,516.00

CC-361 (REV 7-09)

FUND OVERRIDE

CC 3000003194

MAY 18 2010

0-19958