

RESOLUTION NUMBER R- 306038

DATE OF FINAL PASSAGE 1 AUG 3 2010

A RESOLUTION OF THE CITY OF SAN DIEGO ACCEPTING GRANT FUNDS; APPROVING PLANS AND SPECIFICATIONS; AUTHORIZING AWARD OF A PUBLIC WORKS CONTRACT; AND TAKING RELATED ACTIONS IN CONNECTION WITH LA JOLLA ECOLOGICAL RESERVE – STORM WATER LOW FLOW DIVERSION PROJECT.

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

1. That pursuant to that certain Subaward Grant Agreement with the University of California San Diego (UCSD) heretofore approved by Resolution No. R-304375, the Chief Financial Officer is authorized to accept funding, via such Agreement with UCSD, from the State Water Resources Control Board Proposition 50 Consolidated Grants for Coastal Nonpoint Source Pollution Control Program, in an amount up to \$700,000 for the installation of a low flow storm water diversion system in the Area of Special Biological Significance at La Jolla Ecological Reserve. That the Chief Financial Officer is authorized to establish a separate interest bearing account for such grant funds.

2. That in accordance with the annual appropriation ordinance, the Chief Financial Officer is authorized to amend the Fiscal Year 2010 Capital Improvements Program Budget by increasing CIP S-00607, La Jolla Ecological Reserve Area of Special Biological Significance, in Fund No. 600002, Grant No. 100276-2009, State Water Resources Control Board Proposition 50 Grant, by the amount of \$700,000.

3. That the appropriation and expenditure of an amount not to exceed \$700,000 from Fund No. 600002, State Water Resources Control Board Prop 50 Grant, Grant No. 1000276-2009, CIP S-00607, La Jolla Ecological Reserve Area of Special Biological Significance, is

authorized, solely and exclusively to provide construction related expenses, pursuant the Proposition 50 Subaward Grant Agreement executed with UCSD per Resolution R-304375.

4. That the expenditure of an amount not to exceed \$1,258,000 from CIP S-00607, La Jolla Ecological Reserve (ASBS) – Low Flow Diversion, is authorized, solely and exclusively for the La Jolla Ecological Reserve Area of Special Biological Significance Low Flow Diversion Project , to be expended as follows: \$700,000 from Fund No. 600002, Water Resource Control Board Agreement No. 08-322-550; and \$558,000 from Fund No. 400625, Contributions from 100 Fund, provided that the Chief Financial Officer certifies that the funds for this expenditure are, or will be, on deposit in the City Treasury.

5. That the plans and specifications for construction of La Jolla Ecological Reserve, Area of Special Biological Significance Low Flow Diversion Project, as advertised by the Purchasing & Contracting Department and filed in the office of the City Clerk as Document No. R-006030, are approved.

6. That after advertising for bids in accordance with law, the Mayor or his designee is authorized to award the above contract and to execute a construction contract with the lowest responsible and reliable bidder in an amount not to exceed \$1,258,000.

7. That the transfer of \$215,191 within Municipal Sewer Revenue Fund No. 700000 is authorized, from A-BP.00001, Annual Allocation – Pump Station Restorations, to CIP S-00313, Beach Area Low Flow Storm Division.

R-006030

8. That the Chief Financial Officer 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  
Frederick M. Ortlieb  
Deputy City Attorney

FMO:mb:ca  
07/13/2010  
Or.Dept:Eng&CP  
CC: 3000003320  
R-2010-890

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of JUL 27 2010.

ELIZABETH S. MALAND, City Clerk

By Elizabeth S. Maland  
Deputy City Clerk

Approved: 8.3.10  
(date)

Jerry Sanders  
JERRY SANDERS, Mayor

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

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

R- 006033

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING CC 3000003320  
 DEPT. NO. 2011

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: \$215,191.00 Fund: 700000

Purpose: Authorizing the transfer of funds from CIP A-BP.00001, Annual Allocation - Pump Stations Restorations, to CIP S-00313, Beach Area Low Flow Storm Diversion.

Date: June 2, 2010 By: Robert Barreras *Rob Barreras*  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Funcional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	700000	ABP00001		OTHR-000000-PR	512117	2011	2011131411		\$215,191.00
<b>TOTAL AMOUNT</b>									<b>\$215,191.00</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: \_\_\_\_\_

Vendor: \_\_\_\_\_

Purpose: \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_  
 COMPTROLLER'S DEPARTMENT

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

CC-361 (REV 7-09)

FUND OVERRIDE

CC 3000003320

*R-306038*

JUL 27 2010