

ORDINANCE NUMBER O- 20101 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 18 2011

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF A SIXTH AMENDMENT TO THE AGREEMENT WITH HELIX ENVIRONMENTAL, INC. FOR THE NORTH TORREY PINES ROAD BRIDGE OVER LOS PENASQUITOS CREEK PROJECT IN THE TORREY PINES COMMUNITY PLAN AREA AND RELATED ACTIONS.

WHEREAS, the City and Lettieri-McIntyre and Associates [LM&A] entered into an agreement [AGREEMENT] on February 8, 1993 to provide professional services related to the creation of an environmental document for the North Torrey Pines Road Bridge Project [PROJECT]; and

WHEREAS, this agreement was subsequently amended in July 25, 1994, December 3, 1997, and May 15, 2000; and

WHEREAS, on September 1, 2000, LM&A was purchased by Project Design Consultants [PDC], by which LM&A assigned all of its rights and responsibilities to PDC; and

WHEREAS, on December 20, 2002, the City and PDC entered into a 4th Amendment to the AGREEMENT to add additional professional services related to the creation of an environmental document for the PROJECT; and

WHEREAS, on September 7, 2004, the City and PDC entered into a 5th Amendment to the AGREEMENT to add professional services related to assisting the CITY in implementing the biological mitigation and monitoring measures during and after construction of the PROJECT as described in the Mitigation Monitoring PROGRAM [MMRP]; and

WHEREAS, on March 1, 2007, PDC was purchased by Helix Environmental Planning, Inc [HELIX], by which PDC assigned all of its rights and responsibilities to HELIX; and

WHEREAS, the CITY and HELIX now desire to execute a 6th Amendment to the AGREEMENT to include additional services related to satisfying the biological mitigation measures imposed by Coastal Development Permit (CDP) (Special Conditions 2 and 3 of Permit No. 6-01-172) issued by the California Coastal Commission; NOW, THEREFORE,

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

Section 1. That the Mayor be and he is hereby authorized and empowered to execute, for and on behalf of said City, the sixth amendment to an agreement with Helix Environmental, Inc. for the purpose of providing professional environmental services for the North Torrey Pines Road Bridge over Los Penasquitos Creek Project the under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO- **20101**, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Mayor shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.


Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$308,392.00 from CIP S-00935, North Torrey Pines Road Bridge/Los Penasquitos Creek Project, Fund 400169, TransNet, is authorized for the purpose of executing this agreement for the above referenced Project.

Section 3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

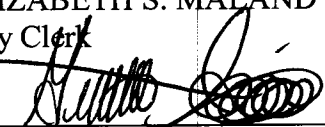
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Ryan P. Kohut
Deputy City Attorney

RPK:cfq
8/26/2011
Or.Dept:E&CP/ROW
Document Number: 235676/Prolaw 2011-07674

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~OCT 11~~ 10-18-11.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10-18-11
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor