

RESOLUTION NUMBER R- 307251

DATE OF FINAL PASSAGE FEB 6 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND EXECUTING THE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES WITH NOLTE ASSOCIATES, INC. FOR THE SCRIPPS RANCH PUMP STATION AND MIRAMAR WATER TREATMENT PLANT UPGRADE AND EXPANSION – CONTRACT ‘D’; AND TAKING RELATED ACTIONS.

WHEREAS, this agreement is scheduled to be funded in three phases Fiscal Year 2012 (FY2012), FY2013 and FY2014; NOW, THEREFORE,

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

1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, a phase-funded contract with Nolte Associates, Inc., for professional construction management services, under the terms and conditions set forth in the Agreement, on file in the Office of the City Clerk as Document No. R- 307251. This agreement shall not exceed a total of \$879,464 of which \$689,638 is for CIP S-12019, Scripps Ranch Pump Station and \$189,826 is for CIP S-00028, Miramar Water Treatment Plant Upgrade and Expansion.

2. That the Chief Financial Officer is authorized to expend funds not to exceed \$879,464 of which \$689,638 is from CIP S-12019, Scripps Ranch Pump Station and \$189,826 is from CIP S-00028, Miramar Water Treatment Plant Upgrade Contract ‘D’, CIP S-00024, Fund 700010, Water, for the purpose of executing this agreement, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City

Treasury, and contingent upon City Council approval of FY2013 and FY2014 Appropriation

Ordinances as follows:

Scripps Ranch Pump Station (WBS S-12019.02.02)

a. Phase 1 (FY2012): \$220,000

b. Phase 2 (FY2013): \$254,306

c. Phase 3 (FY2014): \$215,332

Total: \$689,638

Miramar WTP Upgrade & Expansion Contract 'D' (WBS S-00028.02.02)

a. Phase 1 (FY2012): \$189,826

Total: \$189,826.

3. That the Mayor, or his designee, is authorized to execute FY2012-Phase I of \$409,826, Fund 700010, Water, for execution of Scripps Ranch Pump Station for \$220,000 and Miramar Water Treatment Plant Upgrade for \$189,826.

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

APPROVED: JAN I. GOLDSMITH, City Attorney

By Mark M. Mercer
Mark M. Mercer
Deputy City Attorney

MMM:cw
01/17/2012
Or.Dept:Public Works/Engineering-Field
Doc. No.: 290033

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 31 2012

ELIZABETH S. MALAND
City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved: 2-6-12
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

RESOLUTION NUMBER R- 307252

DATE OF FINAL PASSAGE FEB 6 2012

RESOLUTION OF THE CITY COUNCIL TO ADOPT AN AMENDMENT TO THE TORREY HIGHLANDS PUBLIC FACILITIES FINANCING PLAN AND AUTHORIZE A REIMBURSEMENT AGREEMENT WITH MREC-DAVIDSON FAIRBANKS, LLC FOR A PORTION OF PROJECT NO. T-4.3, CARMEL VALLEY ROAD (WIDEN TO FOUR LANES: VIA ALBERTURA TO CAMINO DEL SUR), AND A PORTION OF PROJECT NO. P-6, TORREY HIGHLANDS TRAIL SYSTEM, IN THE TORREY HIGHLANDS FINANCING PLAN AREA.

WHEREAS, on September 24, 2002, the City of San Diego City Council (City Council) adopted Resolution No. R-297090 granting Vesting Tentative Map No. 99-0329 (VTM) to MREC-Davidson Fairbanks, LLC., (MREC-Davidson) subject to certain conditions necessary to serve that development; and

WHEREAS, MREC-Davidson plans to design and construct a portion of Project No. T-4.3 and a portion of Project No. P-6 in the Torrey Highlands Community Plan area in accordance with the Torrey Highlands Public Facilities Financing Plan; and

WHEREAS, the Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2010 (Financing Plan), adopted by Resolution No. R-304935 on May 26, 2009 identifies Project No. T-4.3, Carmel Valley Road, and Project No. P-6, Torrey Highlands Trail System, as projects to be funded by the FBA; and

WHEREAS, an amendment to the Financing Plan, on file in the Office of the City Clerk as Document No. RR- 307252 (Amendment) is proposed to amend the description of Project No. T.4-3, as it is appropriate to relocate and upsize the existing Del Mar Heights Pipeline as part of Project No. T.4-3; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor be and hereby is authorized and empowered to execute, for and on behalf of City, the Reimbursement

Agreement with MREC-Davidson Fairbanks, LLC for a portion of Project No. T-4.3 (Carmel Valley Road (Widen to Four Lanes: Via Albertura to Camino del Sur)), and Portion of Project No. P-6 (Torrey Highlands Trail System), in the Torrey Highlands Community, on file in the Office of the City Clerk as Document No. RR- 307252 (Agreement), under the terms and conditions set forth in the Agreement.

BE IT FURTHER RESOLVED, that Council Policy 300-07, Consultant Services Selection, is waived with respect to consultants with whom Subdivider, or its predecessor in interest with respect to the real property addressed in the VTM, entered into contracts for the projects that are the subject of the Agreement at least one year prior to the effective date of the Agreement.

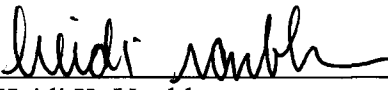
BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized to expend an amount not to exceed Two Million Six Hundred Fifty-Six Thousand Six Hundred Thirty Dollars (\$2,656,630), in accordance with the terms of the Agreement, from the Torrey Highlands Fund No. 400094 in WBS S-00854 Carmel Valley Road (Widening to Four Lanes - Across the frontage of Fairbanks Country Villas), consistent with the timing established in the most recently adopted Financing Plan, and contingent upon Chief Financial Officer certification of funds available for reimbursement.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized to expend an amount not to exceed Two Hundred Eighty-One Thousand Sixteen Dollars (\$281,016), in accordance with the terms of the Agreement, from the Torrey Highlands Fund No. 400094, in WBS RD-12002 (Torrey Highlands Trail Project), consistent with the timing established in the most recently adopted Financing Plan, and contingent upon Chief Financial Officer certification of funds available for reimbursement.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, upon advice from the administering department, is hereby authorized to transfer excess funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that the Amendment is adopted.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:hm

12/27/2011

Or.Dept:Facilities Financing

Doc. No.: 294220

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~JAN 31 2012~~

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 2.6.12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor