

000531

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE)

106
6/5

TO:
CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
Engineering & Capital Projects

3. DATE:
February 28, 2007

4. SUBJECT:
Coastal Low Flow Diversion Program -- La Jolla Ecological Reserve Area of Special Biological Significance (ASBS 29)

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.):
Dave Zoumaras 533-3138 M612

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.):
Jamal Batta 533-3769 MS 612 JB

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	100	100		
DEPT.	533	533		
ORGANIZATION	2200	2150		
OBJECT ACCOUNT	4151	4151		
JOB ORDER	002200	002150		
C.I.P. NUMBER				
AMOUNT	\$745,000.00	175,000.00		

9. ADDITIONAL INFORMATION / ESTIMATED COST:
Total Estimated Project Cost is: \$ 2,325,000
Total This Request: \$920,000

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>[Signature]</i>	3/9/07	7	DEPUTY CHIEF	<i>[Signature]</i>	5-2-07
2	GENERAL SERVICES	<i>[Signature]</i>	3/25/07	8	COO	<i>[Signature]</i>	5/3/07
3	EAS	<i>Alicia Sherwood</i>	4-2-07	9	CITY ATTORNEY	<i>[Signature]</i>	5/15/07
4	EOCP	<i>Celia Steff</i>	3/27/07	10	ORIGINATING DEPARTMENT	<i>[Signature]</i>	5-16-07
5	LIAISON OFFICE	<i>[Signature]</i>	4/4/07		DOCKET COORD:	<i>[Signature]</i>	
6	FM/CIP	<i>[Signature]</i>	4/12/07		COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
7	AUDITOR	<i>[Signature]</i>	4/26/07		REFER TO:	COUNCIL DATE: 6/5/07	

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

1. Authorizing the addition of CIP 12-160.0, La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29), to the Fiscal Year 2007 Capital Improvements Program; and
 2. Authorizing the transfer of \$920,000 from Fund 100, General Services, Storm Water Pollution Prevention Division Operating Fund, to Fund 630221, Contributions from 100 Fund, for the purpose of funding La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29); and
- (Continued)

11A. STAFF RECOMMENDATIONS
Approve the Resolutions

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): 1

COMMUNITY AREA(S): La Jolla

ENVIRONMENTAL IMPACT: This activity is not a "project" and is therefore exempt from CEQA Guidelines Section 15060 (c)(2).

HOUSING IMPACT: None

OTHER ISSUES: Please forward a copy of the Resolution to Lubna Arikat, Transportation Engineering Division, MS 612.

EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

000533

DATE ISSUED: March 19, 2007 REPORT NO:
ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Engineering and Capital Projects
SUBJECT: La Jolla Ecological Reserve Area of Special Biological
Significance (ASBS29)
COUNCIL DISTRICT(S): 1
CONTACT/PHONE NUMBER: Jamal Batta/619-533-3769

REQUESTED ACTION:

Authorize the addition of CIP 12-160.0, La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29), to the Fiscal Year 2007 Capital Improvement Program, and approve the transfer of \$920,000 from Fund 100, General Services, Storm Water Pollution Prevention Operating Fund, to CIP 12-160.0, La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29).

STAFF RECOMMENDATION:

Staff recommends approval of the resolutions.

EXECUTIVE SUMMARY:

The goal of the La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29) is to address stringent storm drain discharge water quality standards required by the California Ocean Plan's Areas of Special Biological Significance requirements in the La Jolla Shores area. The State Water Resources Control Board (State Board) has designated the La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29), located along La Jolla Shores, as one of thirty-four Areas of Special Biological Significance (ASBS), considered to be the most valuable coastal waters in the State. The federal Clean Water Act requires coastal states to have and routinely update an Ocean Plan for maintenance of water quality standards. The Ocean Plan (and State Board) has prohibited storm water waste discharges (dry and wet weather runoff) to ASBS No. 29.

The UC Regents-University of California San Diego (UCSD), the City of San Diego and San Diego Coastkeepers are partnering on a long-term program to implement Best Management Practices (BMPs) to control non-storm water discharges and reduce or eliminate pollutant sources that drain into both the San Diego La Jolla Ecological Reserve (ASBS29) and the San Diego Marine Life Refuge (ASBS31) as designated by the State Water Resources Control Board.

The City of San Diego has 17 storm drain system outfalls that discharge directly into ASBS 29. Seven of the outfalls have diversion systems in place and send low flows to the sanitary sewer system. Staff performed field surveys and documented that there are four additional outfalls that have flows during dry weather periods. This project will address three of the four outfalls that have continuous discharges into the ASBS. The remaining six outfalls were documented to have no dry weather flows; however, these outfalls would convey pollutants to the ASBS if an upstream sewage spill or wash down occurs. City staff continues to apply for additional grant funding that would construct a low flow diversion at the last outfall that has flow to the ASBS.

~~800534~~
FISCAL CONSIDERATIONS:

The Storm Water Pollution Prevention Division's Fiscal Year 2007 approved budget includes \$920,000 for La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29). Funds in the amount of \$920,000 for this action are available in Fund 100, General Services, Storm Water Pollution Prevention Division Operating Fund.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Approved Fiscal Year 2007 budget for Storm Water Pollution Prevention Division.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Storm Water Pollution Prevention Division will be offering stakeholder participation and public outreach support to the Engineering and Capital Projects Department staff. City staff will involve community members and all other affected City departments and agencies in the design of the project.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Key Stakeholders: City of San Diego, Community of La Jolla, UC Regents-UCSD, San Diego Coastkeepers, California SWRCB.

Projected Impacts: The approval of this action will allow the City to begin the community and stakeholder outreach, project design, and eventually construction of improvements to address La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29) as required in the California Ocean Plan.



Patti Boekamp, Director
Engineering & Capital Projects Department



R. F. Haas, Deputy Chief
Public Works

000535

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700709

ORIGINATING

DEPT. NO.: 542

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: _____

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										

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: \$920,000.00

Vendor: NA

Purpose: Authorizing the expenditure (and the appropriation and transfer of funds from the General Fund to Fund 630221, Contributions from General Fund, for the purpose of funding La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29).

Date: April 26, 2007

By: *[Signature]* 4/26/07
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	533	2200	4151	2200				\$745,000.00
002	0	100	533	2150	4151	2150				175,000.00
TOTAL AMOUNT										\$920,000.00

FUND OVERRIDE

000537

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

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

1. That the Fiscal Year 2007 Capital Improvement Program Budget is amended by adding CIP No. 12-160.0, La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29) [Project].
2. That the Fiscal Year 2007 Capital Improvements Program Budget for CIP No. 12-160.0, La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29), Fund No. 630221, is amended by increasing the budget amount by \$920,000.
3. That the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$920,000 from Fund No. 100, General Services, Storm Water Pollution Prevention Division Operating Fund to CIP No. 12-160.0, La Jolla Ecological Reserve Area of Special Biological Significance (ASBS29), Fund No. 630221, Contributions from 100 Fund, for the purpose of funding the Project.
4. That the appropriation and expenditure of an amount not to exceed \$920,000 from CIP No. 12-160.0, Fund No. 630221, is authorized solely and exclusively for the purpose of providing funds for the Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.
5. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess budgeted funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore exempt from CEQA pursuant to State Guidelines Section 15060(c)(2).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Peter A. Mesich
Peter A. Mesich
Deputy City Attorney

PAM:cfq
05/08/07
Or.Dept:E&CP
Aud.Cert.:2700709
R-2007-1094

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor