

RESOLUTION NUMBER R- 295869

ADOPTED ON DEC 10 2001

WHEREAS, Phase 1 of State Route 56, from Black Mountain Road to Camino Ruiz, is currently under construction and will be completed in June 2002, and Phase 2 of State Route 56 from Camino Ruiz to Carmel Valley [State Route 56] will be completed in July 2004; and

WHEREAS, it is presently contemplated that the funding and construction of the Camino Santa Fe/State Route 56 Interchange [Camino Santa Fe Interchange], which will be in the Pacific Highlands community, is not part of the State Route 56 project; and

WHEREAS, it is presently contemplated that the funding and construction of the Camino Santa Fe Interchange, which will be in the Pacific Highlands community, is the responsibility of developers in Pacific Highlands Ranch and Del Mar Mesa (Subarea V) and is anticipated to be funded by the Pacific Highlands Ranch Facilities Benefit Assessment and the Del Mar Mesa Facilities Benefit Assessment; and

WHEREAS, the construction of Camino Santa Fe Interchange (completed by September 2004) concurrently with the State Route 56 project would avoid the interchange needing to be constructed immediately after the freeway's completion, as would be necessary to serve the growth in the Pacific Highlands Community and would therefore be of substantial benefit to the public; NOW, THEREFORE,

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

1. That the City Manager is authorized and empowered to enter into, for and on behalf of the City, a Cooperative Agreement with Pardee Construction Company for the design and construction of the Camino Santa Fe Interchange [Agreement], under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 295869 -1, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and Agreement.

2. That the Fiscal Year 2002 Capital Improvement Program [CIP] budget is amended by increasing \$9,900,000 to CIP No. 52-463.0 [SR-56/Camino Santa Fe Interchange] Fund 63022.

3. That the City Auditor and Comptroller is authorize to accept \$9,750,000 from Pardee Construction Company and depositing the amount in Fund 63022, CIP No. 52-463.0.

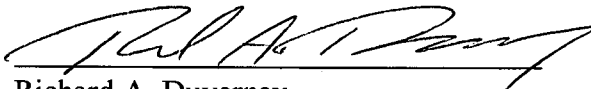
4. That the City Auditor and Comptroller is authorized to appropriate and expend \$9,750,000 from CIP No. 52-463.0 (SR-56/Camino Santa Fe Interchange) Fund 63022 for the purpose of designing and constructing the Camino Santa Fe Interchange, contingent upon the Auditor and Comptroller first certifying that funds are available in the City Treasury.

5. That the City Manager is authorized to enter into two agreements with the California Department of Transportation for the funding, design, and construction on the SR-56/Camino Santa Fe Interchange on the terms and conditions as contemplated in the Camino Cooperative Agreement with Pardee Construction Company for the design and construction of

the Camino Santa Fe Interchange. Copies of the agreements are on file in the office of the City Clerk as Document Nos. RR- 295869-2 and RR- 295869-3

6. That the City Manager is authorized to execute Facilities Benefit Assessment [FBA] Credit and Reimbursement Agreements, for costs associated with the SR-56 Camino Santa Fe Interchange which includes reimbursement of \$9,900,000 plus interest in an amount not to exceed \$1,782,000, contingent upon the Auditor and Comptroller first certifying that funds are available in the City Treasury and in a form substantially similar to Exhibits D1 and D2 of the Cooperative Agreement with Pardee Construction Company for the design and construction of the Camino Santa Fe Interchange. Copies of the agreements, when executed, shall be place on file in the office of the City Clerk as Document Nos. RR- 295869-4 and RR- 295869-5

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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