

ORDINANCE NUMBER O- 19830 (NEW SERIES)

DATE OF FINAL PASSAGE FEB 05 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE AMENDMENT TO THE COOPERATIVE AGREEMENT WITH CALTRANS FOR THE CONSTRUCTION OF AUXILIARY LANES ON INTERSTATE 15.

WHEREAS, on January 26, 2005, the City of San Diego entered into a Consultant Agreement with Caltrans, on file in the office of the City Clerk as Document No. RR-300369, for construction of auxiliary lanes on Interstate 15 [Project]. The City contributed a one-time lump-sum payment of \$3,263,285 toward the Project. The termination date of the Agreement was December 31, 2007; and

WHEREAS, the Project construction was not completed by the termination date of the Agreement. The Council of the City of San Diego amended the Agreement with Caltrans on January 18, 2008, on file in the office of the City Clerk as Document No. RR-303292, to extend the termination date by one year to December 31, 2008; and

WHEREAS, Caltrans is requesting that the termination date of the Agreement be extended again to cover Project completion, including all final accounting and other administrative activities at Caltrans, by four years to December 31, 2012; and

WHEREAS, under San Diego Charter Section 99 no contract, agreement or obligation extending for a period of more than five years may be authorized except by ordinance adopted by a two-thirds' majority vote of the City Council; NOW, THEREFORE,

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

Section 1. That the Mayor or his designee is authorized to execute an Amendment to a Cooperative Agreement with Caltrans for the completion of the construction of auxiliary lanes on Interstate 15, extending the termination date of the Agreement to December 31, 2012, under the terms and conditions filed in the office of the City Clerk as document No. OO-

5630

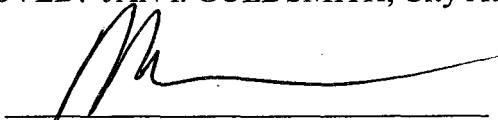
Section 2. That this activity is covered under the I-15 Managed Lanes Final IS/EA and MND, SCH No. 2002101112. The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of California Environmental Quality Act [CEQA] review, pursuant to State CEQA Guidelines Section 15060(c)(3).

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. 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

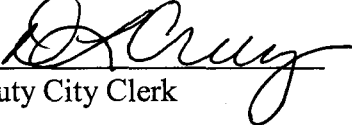


Michael P. Calabrese
Chief Deputy City Attorney

MPC:sc
12/15/08
Aud.Cert.: N/A
Or.Dept:E&CP
O-2009-88

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 27 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 2.5.09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor