

Item 53
7/30/13
(O-2014-4)

ORDINANCE NUMBER O- 20288 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 05 2013

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE COOPERATIVE AGREEMENT WITH CALTRANS FOR THE STATE ROUTE 163 AND FRIARS ROAD INTERCHANGE PROJECT IN THE MISSION VALLEY COMMUNITY PLAN AREA.

WHEREAS, on October 14, 2003 the City Council authorized (Resolution R-298491) the execution of a Cooperative Agreement for the State Route 163 and Friars Road Interchange Project in the Mission Valley Community Plan Area (Project); and

WHEREAS, on November 16, 2010, the City Council authorized (Ordinance O-20003) a First Amendment to the Cooperative Agreement with Caltrans to extend the term of the Cooperative Agreement through December 31, 2015; and

WHEREAS, during the design process it was determined to divide construction of the Project into three phases; and

WHEREAS, this proposed Second Amendment to the Agreement with Caltrans is required to provide Caltrans funds necessary to complete construction documents for Phase I of the Project; and

WHEREAS, a future Third Amendment to the Cooperative Agreement with Caltrans is contemplated to provide Caltrans funds for construction of Phase I of the Project; 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 to execute, for and on behalf of said City, a Second Amendment to the Cooperative Agreement with Caltrans for the purpose of

completing the SR 163 and Friars Road Interchange Project, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO-20288 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 expenditure of an amount not to exceed \$229,000 from CIP S-00851, State Route 163 and Friars Road Interchange Project, Fund 400135, Mission Valley Development Impact Fee Fund, is authorized for the purpose of providing funds 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
7/8/2013
Or.Dept:ROW
CC#: 3000006162
Document Number: 593828

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 30 2013

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____

8/2/13
(date)


BOB FILNER, Mayor

Vetoed: _____

(date)


BOB FILNER, Mayor

This ordinance is effective August 5, 2013, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.

Passed by the Council of The City of San Diego on JUL 30 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 05 2013

AUTHENTICATED BY: BOB FILNER
Mayor of The City of San Diego, California.

(Seal) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUL 15 2013, and on AUG 05 2013

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- **20288**