

4-15-14 Tues  
(R-2014-492) Item  
101

RESOLUTION NUMBER R- 308875

DATE OF FINAL PASSAGE APR 30 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE EXECUTION OF AN  
AMENDMENT TO COOPERATIVE AGREEMENT  
(CONTRIBUTION ONLY) WITH CALTRANS FOR THE  
CONSTRUCTION OF THE GENESEE  
AVENUE/INTERSTATE-5.

WHEREAS, on February 9, 2004, the City of San Diego (City) entered into a  
Cooperative Agreement with the California Department of Transportation (Caltrans) for the  
preparation of the environmental document for improvements to the Genesee Avenue/Interstate-  
5 Overcrossing; and

WHEREAS, on November 9, 2011, the City entered into a Cooperative Agreement with  
Caltrans to utilize Caltrans' design resources in conjunction with City's design consultant in  
order to complete the project design; and

WHEREAS, on July 20, 2012, the City entered into a Cooperative Agreement  
(Contribution Only) with Caltrans to contribute to project funding to allow Caltrans to advertise  
and award the construction contract; and

WHEREAS, on September 12, 2013, Caltrans advertised the project and opened bids,  
bids proved to be substantially higher than the engineer's estimate and it was determined that the  
project needed to be re-scoped and re-advertised; and

WHEREAS, the City and Caltrans seek to amend the Cooperative Agreement  
(Contribution Only) to provide the necessary funding for the revised project; and

WHEREAS, the City plans to provide funding in two installments: \$5,000,000 on July 1, 2014, and \$1,000,000 on October 1, 2014; and

WHEREAS, the second installment of \$1,000,000 is intended to fund two utility agreements with Caltrans necessary for the Genesee Avenue / Interstate 5 Overcrossing Project;

NOW, THEREFORE

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

1. That the Mayor, or his designee, is hereby authorized to execute, for and on behalf of said City, an Amendment to a Cooperative Agreement (Contribution Only) with Caltrans for the Genesee Avenue / Interstate 5 Overcrossing Project, under the terms and conditions set forth in the Amendment on file in the Office of the City Clerk as Document No.

RR 308875-1.

2. That the Chief Financial Officer is authorized to increase the Fiscal Year 2014 Capital Improvements Program Budget in CIP S00839, Genesee Avenue – Widen Interstate 5 Overcrossing, and to appropriate and expend an amount not to exceed \$2,150,073 from Fund 400174, TransNet Extension RTCIP.

3. That the Chief Financial Officer is authorized to increase the Fiscal Year 2014 Capital Improvements Program Budget in CIP S00839, Genesee Avenue – Widen Interstate 5 Overcrossing, and to appropriate and expend an amount not to exceed \$1,365,000 from Fund 400489, North University City DIF.

4. That the Chief Financial Officer is authorized to transfer appropriations in Fiscal Year 2014 of an amount not to exceed \$579,000 from CIP AID00003, Five Year CIP Planning, to CIP S00839, Genesee Avenue – Widen Interstate 5 Overcrossing within Fund 400169, TransNet Extension.

5. That the Chief Financial Officer is authorized to transfer appropriations in Fiscal Year 2014 of \$601,927 from CIP S00880, Miramar Road-Interstate 805 Easterly Ramps, to CIP S00839, Genesee Avenue – Widen Interstate 5 Overcrossing, of which \$500,000 is from Fund 400169, TransNet Extension, and \$101,927 is from Fund 400156, TransNet Prop. A.

6. That the Chief Financial Officer is authorized to increase the Fiscal Year 2014 Capital Improvements Program Budget and to transfer appropriations in Fiscal Year 2014 of an amount not to exceed \$304,000 from Fund 200636, Developer Contribution, to CIP S00839, Genesee Avenue – Widen Interstate 5 Overcrossing.

7. That the Chief Financial Officer is authorized to expend funds under the established agreement funding phases in an amount not to exceed \$5,000,000 for the first phase from CIP S00839 – Genesee Avenue – Widen Interstate 5 Overcrossing of which \$2,150,073 is from Fund 400174, TransNet Extension RTCIP, \$1,365,000 is from Fund 400849, North University City DIF, \$579,000 is from Fund 400169, TransNet Extension, \$304,000 Developer Contribution from Fund 200636, \$610,927 is from CIP S00880, Miramar Road-Interstate 805 Easterly Ramps, of which \$500,000 is from Fund 400169, TransNet Extension, and \$101,927 is from Fund 400156, TransNet Prop. A, contingent upon the Chief Financial Officer furnishing one or more certificates certifying the funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and \$1,000,000 for the second phase from CIP AKB00002 – Annual Allocation – Freeway Relocation, Fund 700010, Water Utility, contingent upon the adoption of the Fiscal Year 2015 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established agreement funding phases are, or will be, on deposit with the City Treasurer; and

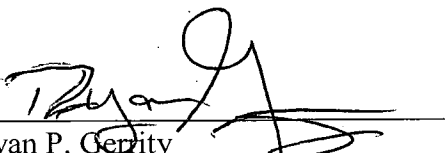
8. That the Chief Financial Officer is authorized to close CIP AID00003, Five Year CIP Planning; and

9. That the Mayor, or his designee, is authorized to amend the Freeway Maintenance Agreement 11-8026 as provided by Exhibit 'A' on file in the Office of the City Clerk as Document No. RR 308875-1; and

10. That the Mayor, or his designee, is hereby authorized to execute, for and on behalf of said City, an Utility Agreement with Caltrans for the relocation and upgrade of the City of San Diego 24 potable water main in the Genesee/Interstate 5 Overcrossing, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. RR 308875-1; and

11. That the Mayor, or his designee, is hereby authorized to execute, for and on behalf of said City, an Utility Agreement with Caltrans for the relocation and upgrade of the City of San Diego 10 reclaimed water main in the Genesee/Interstate 5 Overcrossing, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. RR 308875-1.

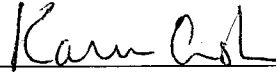
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Ryan P. Gerrity  
Deputy City Attorney

RPG:jls  
3/5/2014  
Or.Dept: Public Works/Engineering  
CC No: 3000006697  
Doc. No. 740139

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~APR 15 2014~~

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4/29/14  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 15 2014, by the following vote:

| Councilmembers   | Yeas                                | Nays                     | Not Present                         | Recused                  |
|------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Sherrri Lightner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Ed Harris        | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Scott Sherman    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| David Alvarez    | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Marti Emerald    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

Date of final passage APR 30 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By Karen Cusl, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 308875

The City of San Diego  
**COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO.: 3000006697  
2112

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: \$1,484,927.00 Fund: 200636/400159/400156

Purpose: To authorize the transfer of appropriations from I/O I5 Gen Interchange and from Annual Allocation Five Year CIP Planning and from Miramar Road I805 Easterly Ramp to CIP Genesee Avenue Widen I5 Overcrossing project.

Date: February 18, 2014 By: James Long

*James Long*  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

| Doc. Item           | Funded Program | Fund   | Grant Number | G/L Account | Functional Area | Business Area | Fund Center or Cost Center | Internal Order or WBS Element | Original Amount       |
|---------------------|----------------|--------|--------------|-------------|-----------------|---------------|----------------------------|-------------------------------|-----------------------|
| 001                 | 13001721       | 200636 |              | 512117      | OTHR-0000000-GG | 9913          |                            | 13001721                      | \$304,000.00          |
| 002                 | AID00003       | 400169 |              | 512117      | OTHR-0000000-TR | 2113          |                            | A-ID.00003                    | \$579,000.00          |
| 003                 | S00880         | 400169 |              | 512117      | OTHR-0000000-TR | 2113          |                            | S-00880.08                    | \$500,000.00          |
| 004                 | S00880         | 400156 |              | 512117      | OTHR-0000000-TR | 2113          |                            | S-00880.08                    | \$101,927.00          |
| <b>TOTAL AMOUNT</b> |                |        |              |             |                 |               |                            |                               | <b>\$1,484,927.00</b> |

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

Purpose: \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

| Doc. Item           | Funded Program | Fund | Grant Number | G/L Account | Functional Area | Business Area | Internal Order | WBS Element | Original Amount |
|---------------------|----------------|------|--------------|-------------|-----------------|---------------|----------------|-------------|-----------------|
|                     |                |      |              |             |                 |               |                |             |                 |
|                     |                |      |              |             |                 |               |                |             |                 |
|                     |                |      |              |             |                 |               |                |             |                 |
|                     |                |      |              |             |                 |               |                |             |                 |
| <b>TOTAL AMOUNT</b> |                |      |              |             |                 |               |                |             |                 |

FUND OVERRIDE