

*Tues 6/02/15*  
*(O-2015-102) Item*  
*#54*

ORDINANCE NUMBER O- 20493 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 11 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE EXECUTION OF THE  
SECOND AMENDMENT TO THE AGREEMENT WITH  
CALTRANS FOR THE STATE ROUTE 163 AND  
CLAIREMONT MESA INTERCHANGE PROJECT PHASE 2.

WHEREAS, in 2008, the City of San Diego (City), in partnership with the California Department of Transportation (Caltrans), completed construction of Phase 1 of the State Route 163 and Clairemont Mesa Boulevard Interchange Project (Project), which widened the bridge overcrossing at the Project location and realigned the eastern ramps; and

WHEREAS, in 2012, the City entered into a Cooperative Agreement (O-20147) with Caltrans to construct Phase 2, which included the construction of the western ramps at an estimated total cost of \$8.9 million; and

WHEREAS, Caltrans revised the estimate to increase the project cost by \$1.7 million and, on June 10, 2014, the City Council authorized the approval of the First Amendment to the Cooperative Agreement (R-30900) with Caltrans for the additional cost; and

WHEREAS, on December 11, 2014, Caltrans opened bids for the construction of Phase 2 and the low bidder was \$142,000 more than the engineer's estimate; and

WHEREAS, this action will authorize the execution of the Second Amendment to the Cooperative Agreement with Caltrans to cover this additional cost; 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 hereby authorized to execute for and on behalf of the City the Second Amendment to the Cooperative Agreement with Caltrans for the purpose of completing Phase 2 of the State Route 163 and Clairemont Mesa Boulevard Interchange under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO- **20493**.


Section 2. That the expenditure of an amount not to exceed \$142,000 from CIP S-00905, State Route 163 and Clairemont Mesa Boulevard Interchange – Phase 2, from Fund 400174 – RTCIP is authorized for the purpose of providing funds for the above-referenced Project, contingent upon the Chief Financial Officer furnishing a certificate certifying that all funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 3. Certifying that this activity is adequately addressed in the New Century Center FEIR Project No. 96-0165 (SCH No. 96031091, dated 9/25/97). The activity is part of a series of subsequent discretionary actions and therefore is not considered a separate project for the purposes of CEQA review as defined in State CEQA Guidelines Section §15378. Pursuant to section 15162 of CEQA, there is no change in circumstance, additional information or project changes to warrant additional environmental review.

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. Gerrity  
Deputy City Attorney

RPG:jls  
4/27/2015  
Or.Dept:Public Works/Engineering  
Doc No.:1003213  
CC No.: 3000007710

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 02 2015.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6/11/15  
(date)

  
KEVIN L. FAULCONER, Mayor

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

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

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING CC 3000007710  
 DEPT. NO.: 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: \_\_\_\_\_

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

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

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
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: \$142,000.00

Vendor: CALTRANS

Purpose: To authorize the expenditure of funds not to exceed \$142,000.00 to CALTRANS for the execution of Amendment #2 to the Cooperative Agreement for the construction of CIP S-00905, State Route 163/Clairemont Mesa Boulevard Interchange project - Phase 2.

Date: April 7, 2015 By: 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
I	S00905	400174		512066	OTHR-00000000-TR	2113		S-00905.06.01.02	\$142,000.00
TOTAL AMOUNT									\$142,000.00

FUND OVERRIDE

Passed by the Council of The City of San Diego on JUN 02 2015, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 11 2015

AUTHENTICATED BY:

KEVIN L. FAULCONER  
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

MAY 12 2015, and on JUN 11 2015

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(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- 20493