

Tues 7/14/15
(O-2015-136) Item
#58

ORDINANCE NUMBER O- 20521 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 28 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE EXECUTION OF THE
THIRD AMENDMENT TO THE COOPERATIVE AGREEMENT
WITH CALTRANS FOR THE STATE ROUTE 163 AND
FRIARS ROAD INTERCHANGE PROJECT PHASE I.

WHEREAS, on October 14, 2003, the City of San Diego [City] and California
Department of Transportation [Caltrans] entered into a Cooperative Agreement, on file in the
Office of the City Clerk as Resolution No. R-298491, for the design of modifications to the State
Route 163 and Friars Road Interchange in order to optimize traffic circulation within the
interchange area; and

WHEREAS, in 2010, the City authorized the First Amendment to the Cooperative
Agreement to extend the termination date of the agreement through December 2015; and

WHEREAS, in 2013, the City authorized the Second Amendment to the Cooperative
Agreement in order to compensate Caltrans for "Reimbursed Work" which was not part of the
original Cooperative Agreement or First Amendment; and

WHEREAS, due to the complexity of the project and extensive work associated with the
right-of-way activities and utility relocations, the costs to Caltrans for the "Reimbursed Work"
has increased; and

WHEREAS, the City now desires a Third Amendment to the Agreement to compensate
Caltrans for additional "Reimbursed Work," which includes but is not limited to the preparation
of specifications; the circulation, review, and preparation of final Caltrans District 11 plans,
specifications, and estimate package; the preparation and advertisement of contract bid
documents; and the award of the approved construction contract for the Project; and

WHEREAS, the Third Amendment to the Agreement with Caltrans will extend the total term of the Agreement beyond five years; 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, for and on behalf of City, the Third Amendment to the Cooperative Agreement with Caltrans for "Reimbursed Work" in CIP S-00851, State Route 163 and Friars Road Interchange Project, under the terms and conditions set forth in the Third Amendment to the Agreement on file in the Office of the City Clerk as Document No. OO- 20521.

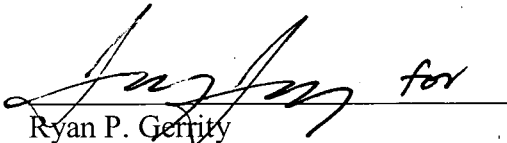
Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$480,000 from CIP S-00851, State Route 163 and Friars Road Interchange Project, Fund 400135, Mission Valley-Urban Community, for the purpose of executing this amendment to the agreement, contingent upon the Chief 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 Environmental Impact Report Project No. 72782 (SCH No. 2005111032, dated June 17, 2010). The activity is part of a series of subsequent discretionary actions and therefore is not considered to be a separate project for purposes of CEQA review as defined in State CEQA Guidelines Section § 15378(c). 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  for
Ryan P. Gertity
Deputy City Attorney

RPG:jls
6/8/2015
Or.Dept:Public Works/Engineering
CC No.: 3000007882
Doc. No.: 1039147

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 14 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/22/15
(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 3000007882
 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: \$480,000.00

Vendor: Caltrans

Purpose: To authorize the expenditure of funds not to exceed \$480,000.00 to Caltrans for Amendment No. 3 to the Cooperative Agreement for the State Route 163 and Friars Road Interchange Project - Phase I.

Date: May 18, 2015 By: Elizabeth Warnock
 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
1	S00851	400135		512034	OTHR-00000000-TR	2113		S-00851.02.02	\$480,000.00
TOTAL AMOUNT									\$480,000.00

FUND OVERRIDE

0 - 20521

Passed by the Council of The City of San Diego on JUL 14 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 28 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 *Mary Fernandez*, 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

JUN 23 2015

, and on

JUL 28 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 *Mary Fernandez*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20521