

Tues 5/22/18  
(R-2018-527) Item  
100

RESOLUTION NUMBER R- 311764

DATE OF FINAL PASSAGE MAY 30 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING EXECUTION OF RIGHT-OF-  
WAY & CONSTRUCTION COOPERATIVE AGREEMENTS  
WITH CALTRANS AND APPROPRIATIONS OF  
ADDITIONAL FUNDING FOR THE TORREY MEADOWS  
DRIVE OVERCROSSING PROJECT.

WHEREAS, this action will authorize the City of San Diego to increase the Capital Improvement Program (CIP) Budget in CIP S-10015, Torrey Meadows Drive Overcrossing by \$6,100,000 for right-of-way acquisition and construction costs for the Torrey Meadows Drive Overcrossing Project and additionally, will authorize the City to enter into two cooperative agreements with the California Department of Transportation (Caltrans) which the first cooperative agreement is for right-of-way oversight services in development of real estate acquisition documents, in an amount not to exceed \$10,000 and the second will authorize the Mayor, or his designee, to enter the City into a cooperative agreement with Caltrans to advertise, award, and administer construction of the project in an amount not to exceed \$10,041,693 (Project); and

WHEREAS, the Torrey Meadow Drive Overcrossing Project will provide for a two-lane overcrossing bridge and approaches to Torrey Meadows Drive over the State Route (SR) 56 freeway and the project also includes a Class II bicycle facility and sidewalks to increase accessibility for both bicyclists and pedestrians within the community, and this project is included in the Torrey Highlands Public Facilities Financing Plan; and

WHEREAS, this action will delegate authority to the Mayor, or his designee, to execute future amendments up to \$1,500,000, should the need arise, due to volatility in the construction market; and

WHEREAS, due to changes in scope, additional design needs, construction cost escalations, and the most recent engineer's estimate, additional funding in an amount of \$6,100,000 is needed for this 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 authorized to execute, for and on behalf of the City, a resolution authorizing the Chief Financial Officer to increase the CIP Budget in CIP S-10015, Torrey Meadows Drive Overcrossing, and to appropriate and expend \$6,100,000, from Fund 400094, Torrey Highlands Facilities Benefit Assessment, for the purpose of construction, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasury, under the terms and conditions set forth in the Agreement, on file in the Office of the City Clerk as Document No. RR- 311764

2. That the Chief Financial Officer is authorized to expend and execute a Right-of-Way Cooperative Agreement with Caltrans for oversight of right-of-way acquisition services of CIP S-10015, Torrey Meadows Drive Overcrossing, for an amount not to exceed \$10,000.

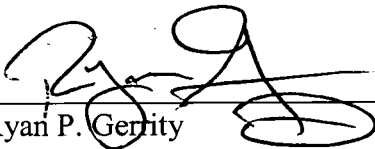
3. That the Chief Financial Officer is authorized to expend an amount not to exceed \$10,000 from CIP S-10015, Torrey Meadows Drive Overcrossing, Fund 400094, Torrey Highlands Facilities Benefit Assessment, for the purpose of executing this Right-of-Way Cooperative Agreement.

4. That the Mayor, or his designee, is authorized to execute a Construction Cooperative agreement with Caltrans for construction of CIP S-10015, Torrey Meadows Drive Overcrossing, for an amount not to exceed \$10,041,693.

5. That the Chief Financial Officer is authorized to expend an amount not to exceed \$10,041,693 from CIP S-10015, Torrey Meadows Drive Overcrossing, Fund 400094, Torrey Highlands Facilities Benefit Assessment, for the purpose of executing this Construction Cooperative Agreement, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasury.

6. That the Mayor, or his designee, is authorized to execute future amendments to the Construction Cooperative Agreement with Caltrans for the purposes of construction and administration in CIP S-10015, Torrey Meadows Drive Overcrossing, in an amount not to exceed \$1,500,000, contingent upon the Chief Financial Officer first furnishing one or more certifications certifying the funds are, or will be, on deposit with the City Treasury.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Ryan P. Gentry  
Deputy City Attorney

RPG:cw  
04/27/18  
Or.Dept: Public Works Department  
CC No.: 3000010972  
Doc. No.: 1740437

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego,  
at its meeting of   MAY 22 2018  .

ELIZABETH S. MALAND  
City Clerk

By *Hy Bue*  
Deputy City Clerk

Approved:   5/30/18    
                  (date)

*Kevin L. Faulconer*  
KEVIN L. FAULCONER, Mayor

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

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

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING CC 3000010972  
 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: \$10,000.00

Vendor: CalTrans

Purpose: To authorize the expenditure of funds not to exceed \$10,000.00 to CalTrans for Right-of-Way and Construction Cooperative Agreements for Torrey Meadows Drive Overcrossing project.

Date: March 28, 2018 By: Raymond Iadanza  
 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	S10015	400094	NOT_RELEVANT_GRANT	512176	OTHR-00000000-TR	2113	2113120013	S-10015.06.02	\$10,000.00
TOTAL AMOUNT									\$10,000.00

Passed by the Council of The City of San Diego on MAY 22 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 30 2018

(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.

(Seal)

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

By Atty Rudy, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R-

**311764**