

#56
12/06/22

(O-2023-79)

ORDINANCE NUMBER O- 21575 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 14 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE EXECUTION OF A
SECOND AMENDMENT TO COOPERATIVE AGREEMENT
11-0717 WITH CALTRANS FOR OVERSIGHT OF
CONSTRUCTION OF WEST MISSION BAY DRIVE BRIDGE
OVER SAN DIEGO RIVER PROJECT.

WHEREAS, the West Mission Bay Drive Bridge over San Diego River Project (Project) will replace the structurally deficient and functionally obsolete four-lane bridge with two three-lane bridges; and

WHEREAS, a portion of the project area is within right-of-way controlled by the California Department of Transportation (Caltrans) and will cause an encroachment; and

WHEREAS, Caltrans determined a cooperative agreement between Caltrans and the City of San Diego for construction of the Project was required; and

WHEREAS, Cooperative Agreement 11-0717 (CA 11-0717) was executed on January 25, 2018, and details the responsibilities of each party throughout the life of construction for this Project; and

WHEREAS, on December 28, 2021, the First Amendment to the CA 11-0717 was authorized by Mayoral action under the authority of San Diego Municipal Code section 22.3018 as a no-cost time extension, with a new termination date of January 25, 2023; and

WHEREAS, the City has determined that additional time will be necessary to complete the Project and now seeks to extend the duration of CA 11-0717 until Project completion or June 30th, 2024, whichever comes first; and

WHEREAS, the City and Caltrans have prepared a Second Amendment to CA 11-0717 to reflect this extension, with no additional funding being added to the Project at this time; and

WHEREAS, any additional funding necessary to complete the scope of work in CA 11-0717 will require approval by City Council; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; and

WHEREAS, under San Diego Charter section 99, a supermajority vote of the City Council is required for passage of this ordinance; NOW, THEREFORE,

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

Section 1. That the Mayor, or designee, is authorized to sign the Second Amendment to Construction Cooperative Agreement 11-0717 with the California Department of Transportation, included in the staff materials accompanying this ordinance, and that once signed, will be on file with the City Clerk as Document No. OO 21575, which extends the expiration of the Agreement to June 30, 2024 at no additional cost, for the purpose of construction oversight in CIP S-00871, West Mission Bay Drive Bridge over the San Diego River.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Ryan P. Gerrity
Ryan P. Gerrity
Deputy City Attorney

RPG:jls2:cw
10/31/22
Or.Dept: Engineering & Capital Projects
CC No.: N/A
Doc. No.: 3124738

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC. 06 2022.

ELIZABETH S. MALAND
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 12/14/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC. 06 2022, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Joe LaCava | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jennifer Campbell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Stephen Whitburn | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Monica Montgomery Steppe | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Marni von Wilpert | <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"/> |
| Raul A. Campillo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Vivian Moreno | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sean Elo-Rivera | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage DEC 14 2022

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

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

By Krystell Medina, 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 NOV 14 2022, and on DEC 14 2022.

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 Krystell Medina, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21575