

RESOLUTION NUMBER R- **316202**

DATE OF FINAL PASSAGE **MAY 22 2025**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE FIRST AMENDMENT
TO A REIMBURSEMENT AGREEMENT WITH TRI POINTE
HOMES IE-SD, INC. FOR A PORTION OF PROJECT NO. OM
T-11.1 CALIENTE AVENUE (OTAY MESA ROAD TO
PROPOSED SR-905 OVERPASS) IN THE OTAY MESA
COMMUNITY.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. On August 8, 2023, the City of San Diego (City) and Tri Pointe IE-SD, Inc., a California corporation (Developer), entered into a Reimbursement Agreement (Agreement) for the design and construction of Project No. OM T-11.1, Caliente Avenue (Otay Mesa Road to Proposed SR-905 Overpass) (Project).

B. The Agreement allows for the Developer to complete the design and construction of the Project.

C. The original estimated costs of the Agreement, as authorized by San Diego Resolution R-310587, was one million eight hundred and four thousand sixty-nine dollars (\$1,804,069).

D. The City and Developer desire to amend the Agreement to update cost estimates that require an additional one million one hundred nineteen thousand nine hundred forty-nine dollars (\$1,119,949) as requested increased costs.

E. To reflect these amendments, the City and Developer have negotiated the terms of the proposed in the First Amendment to the Agreement, included in the docket materials accompanying this Resolution.

F. The Office of the City Attorney prepared this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

ACTION ITEMS

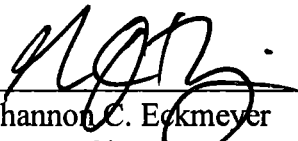
Be it ordained by the Council of the City of San Diego:

Section 1. The Council approves the First Amendment.

Section 2. The Mayor or designee is authorized, on the City's behalf, to sign and deliver the First Amendment. When signed by both parties, the First Amendment will be placed on file in the Office of the City Clerk as Document No. RR- **316202**.

Section 3. The Chief Financial Officer is authorized to increase the Capital Improvements Program Budget in CIP RD-23009, OM-T-11.1 Caliente Avenue, and to appropriate and expend funds under the First Amendment in an amount not to exceed \$3,014,018 (including the \$2,924,018 for Project reimbursement costs from the Agreement and its First Amendment and \$90,000 for City staff charges) from Otay Mesa FBA, Fund 400856, contingent upon the adoption of the Appropriation Ordinance of the applicable fiscal year and the Chief Financial Officer first certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: HEATHER FERBERT, City Attorney

By  for
Shannon C. Eckmeyer
Deputy City Attorney

SCE:cm
January 28, 2025
May 8, 2025 COR. COPY
Or. Dept: City Planning
Doc. No. 3940595

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
MAY 13 2025

DIANA J.S. FUENTES
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 5/20/25
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 13 2025, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|---------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Joe LaCava | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> |
| Henry L. Foster III | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marni von Wilpert | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Kent Lee | <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 MAY 22 2025.

(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:

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

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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