

001717

**REQUEST FOR COUNCIL ACTION**  
 CITY OF SAN DIEGO

 1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) 116  
 12/02

 TO: CITY ATTORNEY  
 2. FROM (ORIGINATING DEPARTMENT): Engineering & Capital Projects  
 3. DATE: August 27, 2008

4. SUBJECT: State Route 905 and 125 Right of Way Protection Project

 5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.): James Nagelvoort 533-3616, MS 612  
 6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.): Larry Van Wey 533-3005 MS 611  
 7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

**8. COMPLETE FOR ACCOUNTING PURPOSES**

FUND	DEPT.	ORGANIZATION	OBJECT ACCOUNT	JOB ORDER	C.I.P. NUMBER	AMOUNT	9. ADDITIONAL INFORMATION / ESTIMATED COST:
6-10 SC 38601			9544	52-396.0		\$295,429	Grant amount \$1,963,429 Previously authorized \$1,668,000 This request \$295,429

**10. ROUTING AND APPROVALS**

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	<i>[Signature]</i>	9/10/08	8	DEPUTY CHIEF	<i>[Signature]</i>	10/23/08
2	EAS	<i>[Signature]</i>	9/12/08	9	COO	- Not required -	
3	EOCP	<i>[Signature]</i>	9/23/08	10	CITY ATTORNEY	<i>[Signature]</i>	11/3/2008
4	COUNCIL LIAISON OFFICE	<i>[Signature]</i>	9/24/08	11	ORIG. DEPT	<i>[Signature]</i>	11/4/08
5	CIP/FM	<i>[Signature]</i>	10/2/08	DOCKET COORD: _____ COUNCIL LIAISON SC 11/9/08			
6	COMPTROLLER	<i>[Signature]</i>	10/21/08	✓	COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
7					REFER TO: _____	COUNCIL DATE: 12/2/08	

 11. PREPARATION OF:  RESOLUTIONS  ORDINANCE(S)  AGREEMENT(S)  DEED(S)

- Authorizing the City Comptroller to accept \$295,429 of Federal Demonstration Grant Funds, Fund 38601, for the SR 905 and SR 125 Right of Way Protection Project; and
- Authorizing the City Comptroller to appropriate and expend from CIP 52-396.0 (Job Order 523961) SR 905 and SR 125 Right of Way Protection Project, fund 38601, Federal Demonstration Fund, contingent upon receipt of a fully executed grant agreement; and

 11A. STAFF RECOMMENDATIONS: **Adopt the resolutions**

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 8

COMMUNITY AREA(S): OTAY MESA

ENVIRONMENTAL IMPACT: This activity is not a "project" and is therefore exempt from CEQA pursuant to State CEQA Guidelines Section §15060(c) (3).

HOUSING IMPACT: N/A

OTHER ISSUES: N/A

3. Authorizing the de-appropriation in Fund 30300, TransNet, CIP 52-396.0 (Job order 52-396.1), SR 905 and SR 125 Right of Way Protection Project.

001710

4. Authorizing the return of \$295,429 to Fund 30300, TransNet fund balance.

001719

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: November 20, 2008  
ATTENTION: Council President and City Council  
ORIGINATING DEPT.: Engineering and Capital Projects  
SUBJECT: State Route 905 and 125 Right of Way Protection Environmental Study  
COUNCIL DISTRICTS: 8  
STAFF CONTACT: Larry VanWey (619) 533-3005

REQUESTED ACTION:

1. Authorizing the City Comptroller to accept \$295,429 of Federal Demonstration Grant Funds, Fund 38601, for the SR 905 and SR 125 Right of Way Protection Project for the purpose of funding for environmental studies; and
2. Authorizing the City Comptroller to appropriate and expend from CIP 52-396.0 (Job order 52-396.1), SR 905 and SR 125 Right of Way Protection Project, Fund 38601, Federal Demonstration Funds for the purpose of funding for environmental studies..
3. Authorizing the de-appropriation in Fund 30300, TransNet, CIP 52-396.0 (Job order 52-396.1), SR 905 and SR 125 Right of Way Protection Project.
4. Authorizing the return of \$295,429 to Fund 30300, TransNet fund balance.

STAFF RECOMMENDATION:

Staff recommends approval of resolution.

EXECUTIVE SUMMARY:

In December 1996, the City of San Diego entered into a Cooperative Agreement with the Department of Transportation (Caltrans) for the SR 905 and SR 125 Right of Way Protection Project for environmental studies.

Funding from Federal Demonstration Funds was secured through the California Department of Transportation (Caltrans) in the amount of \$1,963,429 for the project. City Council previously approved the appropriation and expenditure of \$1,668,000 of the total grant. This action will approve the appropriation and expenditure of the remaining \$295,429 in Federal Demonstration Funds allocated to the project.

The additional Federal funds will allow the de-appropriation of TransNet funds back to fund balance.

FISCAL CONSIDERATIONS:

N/A

PREVIOUS COUNCIL COMMITTEE ACTION:

R-287734, August 5, 1996. Accept \$668,000 Federal Demonstration Funds.

R-283824, May 9, 1994. Accept \$1,000,000 Federal Grant for SR 905 Environmental studies.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

N/A

KEY STAKEHOLDERS:

Department of Transportation (Caltrans)



Patn Boekamp  
Director, Engineering & Capital Projects



David Jarrell  
Deputy Chief Public Works

DOCKET SUPPORTING INFORMATION  
CITY OF SAN DIEGO

**EQUAL OPPORTUNITY CONTRACTING PROGRAM EVALUATION**

DATE:

116  
12/02

September 22, 2008

SUBJECT: State Route 905 and 125 Right of Way Protection Project

**GENERAL CONTRACT INFORMATION**

Recommended Consultant: Not Applicable  
Amount of this Action: \$295,429.00  
Funding Source: Federal

**SUBCONSULTANT PARTICIPATION**

There is no subconsultant activity associated with this action.

**EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE**

Equal Opportunity: Required

This agreement is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2702) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517)

**ADDITIONAL COMMENTS**

This action is to request Authorization to accept, appropriate and expend Federal Demonstration Grant Funds.

  
JLR

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

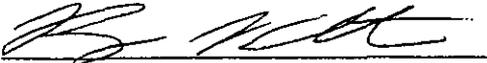
A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO ACCEPTING GRANT FUNDS FOR THE STATE  
ROUTE 905 AND 125 RIGHT-OF-WAY PROTECTION  
PROJECT IN THE OTAY MESA COMMUNITY PLAN AREA.

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

1. That the Mayor, or designee, is authorized to accept Federal Demonstration Grant Funds, in the amount of \$295,429 for the SR 905 and SR 125 Right-of-Way Protection Project [Project].
2. That the City Auditor and Comptroller is authorized to accept, appropriate and expend funds from CIP 52-396.0 (JO# 52-396.0) SR 905 and SR 125 Right-of-Way Protection Project, Fund 38601, Federal Demonstration Fund contingent upon receipt of a fully executed grant agreement.
3. That the City Auditor and Comptroller is authorized to de-appropriate in Fund 30300, TransNet, CIP 52-396.0 (JO# 52-396.1), SR 905 and SR 125 Right-of-Way Protection Project.
4. That the City Auditor and Comptroller is authorized to return an amount not to exceed \$295,429 to Fund 30300, TransNet Fund Balance, for the purpose of providing funds for the Project.
5. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Ryan Kohut  
Deputy City Attorney

RK:cfq  
10/30/08  
AC#:  
Or.Dept:E&CP  
R-2009-505

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor