

#60a  
7/19/2022

(R-2022-601)

RESOLUTION NUMBER R- 314222

DATE OF FINAL PASSAGE JUL 21 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING A REIMBURSEMENT  
AGREEMENT WITH THE OTAY WATER DISTRICT FOR  
UTILITY RELOCATIONS FOR THE LA MEDIA ROAD  
IMPROVEMENT PROJECT AND RELATED ACTIONS.

WHEREAS, La Media Road is part of the designated Truck Route for the Otay Mesa Port of Entry and the La Media Road Improvement Project (Project) proposes to improve La Media Road to a six lane primary arterial between SR-905 and Airway Road and a five lane major road with three southbound lanes and two northbound lanes between Airway Road and Siempre Viva Road; and

WHEREAS, the Project includes improvements to enhance safety, provide congestion relief, alleviate flooding, and provide an improved access road for freight trucks to Otay Mesa Port of Entry; and

WHEREAS, the proposed new drainage facilities included in the Project are in conflict with existing utilities owned and maintained by Otay Water District (OWD), and the Project requires relocation and adjustment of the facilities (Necessary Relocations) conflict to proceed; and

WHEREAS, due to the complexity of the operations involved, having the same contractor that is constructing the Project perform the Necessary Relocations during the construction of the Project will reduce costs, time, and construction related impacts to the community and will allow for more efficient coordination among agencies; and

WHEREAS, the City and the OWD have negotiated a Reimbursement Agreement to allow the City to perform the Necessary Relocations and that will require the OWD to reimburse the City for the work as more fully set forth in the Reimbursement Agreement provided in the staff materials for this Council item; and

WHEREAS, this action will authorize the Mayor to sign the Reimbursement Agreement Between the Otay Water District and The City of San Diego for the payment of costs for the Necessary Relocations that are to be bid and constructed by the City of San Diego as part of the Project, for which OWD will reimburse the City for all related expenses; and

WHEREAS, the current total estimated cost for the Necessary Relocations is \$1,517,024.75, which includes construction cost, construction contingency and construction engineering & administration; and

WHEREAS, the Engineering & Capital Projects department is requesting authorization to accept reimbursement from OWD in an amount not to exceed \$2,500,000 in case the construction contract bids come in higher, or unforeseen construction changes occur; and

WHEREAS, at the end of the Project, the City will provide a certification of the Necessary Relocations costs to OWD, and the City and OWD have agreed that if either party owes the other payment or reimbursement at the end of the Project's construction phase, those sums will be paid and accounted for at that time; NOW THEREFORE

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

1. That the Mayor, or his designee, is authorized to sign the Reimbursement Agreement, between the OWD and The City of San Diego for CIP S-15018 La Media Road Improvements Project, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. RR-314222.

2. That the Chief Financial Officer is authorized to establish a special interest-bearing account, OWD-La Media RA, for the Reimbursement Agreement.

3. That the Chief Financial Officer is authorized to accept funds from OWD in an amount not to exceed \$2,500,000.00 for S-15018, La Media Road Improvements project and to deposit funds into the OWD-La Media RA fund.

4. The Chief Financial Officer is authorized to increase the Capital Improvements Program Budget in CIP S-15018, La Media Road Improvements project and appropriate and expend an amount not to exceed \$2,500,000 in OWD-La Media RA fund, for CIP S-15018 La Media Road Improvements project, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for the expenditure are on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

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

RPG:jdf  
06/27/2022  
Or.Dept: Eng. & Cap.  
CC No. "INSERT Comptroller's Certificate #"  
Doc. No.: 3015597

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 19 2022

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 7/21/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 19 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 JUL 21 2022.

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 314222