

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:

The following items will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-334: Two actions related to Consultant Agreement – Regents Road Bridge and Limited Roadway Changes Project.

[▶ View referenced exhibit back-up material \(Part 1 of 2\).](#)

[▶ View referenced exhibit back-up material \(Part 2 of 2\).](#)

(See memoranda from City Attorney dated 7/24/2007 and 4/04/2007; memorandum from Kevin P. Sullivan and William J. Schwartz, Special Counsel dated 7/13/2007; and letter from American Society of Civil Engineers dated 7/27/2007. University Community Area. District 1.)

(Continued from the meeting of July 31, 2007, Item 333, at the request of the Mayor's Office, for further review.)

STAFF'S RECOMMENDATION:

Adopt the resolution in Subitem A and introduce the ordinance in Subitem B:

Subitem-A: (R-2008-110)

Authorizing the City Auditor and Comptroller to increase the Fiscal Year 2008 Capital Improvements Program Budget for CIP-53-044.0, Regents Road Bridge, Fund 79001, North University City Facilities Benefit Assessment in the amount of \$2,000,000;

Authorizing the City Auditor and Comptroller to appropriate and expend \$2,000,000 for CIP-53-044.0, Regents Road Bridge, Fund 79001, North University City Facilities Benefit Assessment, for the purpose of a consultant agreement for the Regents Road Bridge and Limited Roadway Changes Project;

Authorizing the Mayor, or his designee, to amend the North University City Public Facilities Financing Plan (PFFP) for Fiscal Year 2007 by transferring \$2,000,000 in currently available funds that were originally scheduled in Fiscal Year 2009 to Fiscal Year 2007 for Project NUC-18, Regents Road Bridge, in Fund 79001, North University City Facilities Benefit Assessment;

Stating that this activity is not a "project" and is therefore exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(3).

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:
(Continued)

ITEM-334: (Continued)

Subitem-B: (O-2008-16 Cor. Copy)

Introduction of an ordinance authorizing the Mayor, or his designee, to execute an agreement with Project Design Consultants, together with any reasonable necessary modifications or amendments which do not increase the project scope or cost and which the Mayor or his designee deem necessary from time to time in order to carry out the purposes and intent of this project and agreement, for the purpose of preparing supplemental environmental document, obtaining permits, and providing design services for the Regents Road Bridge and Limited Roadway Changes Project;

Authorizing the expenditure of an amount not to exceed \$4,861,373 for the agreement, provided the City Auditor and Comptroller first certifies the necessary funds are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves;

Stating that this activity is not a "project" and is therefore exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(3).

STAFF SUPPORTING INFORMATION:

In accordance with Council Policy 300-7 and A.R. 25.60, Project Design Consultants (PDC) was selected among nine firms interviewed. PDC was procured to prepare the environmental document for the University North/South Transportation Corridor Study (UC N/S EIR) and to provide professional design services. The scope of services was divided into two stages. Stage I was comprised of the study of different alternatives and the preparation of California Environmental Quality Act (CEQA) document. Stage II is comprised of preparation of plans, specifications, and cost estimate for the selected alternative. Per Council Resolution R-297850, the City Council authorized the execution of an Agreement with PDC in April of 2003 for the UC N/S EIR.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:
(Continued)

ITEM-334: (Continued)

STAFF SUPPORTING INFORMATION: (Continued)

Subsequently, in December of 2005, the City Council also authorized the First Amendment with PDC (Council Resolution R-301102), to address unanticipated costs resulting from an expanded scope required to include two additional alternatives and compensate the consultant team for additional time and research required to respond to over three thousand comments on the draft environmental document.

The EIR that studied seven alternatives equally was certified by City Council on August 1, 2006. At the same hearing, the City Council selected the Regents Road Bridge Alternative and directed staff to move forward with the next stage (R-301787). Subsequently the City Council adopted Resolution R-302497 on March 29, 2007. This resolution re-iterated the certification of the University North/South Transportation Corridor EIR; authorized staff to proceed with the preparation of a full, separate, independent project-specific EIR for the Regents Road Bridge Alternative; and rescinded the adoption of the Statement for the Bridge Alternative, the Mitigation, Monitoring and Reporting Program and the Notice of Determination filed on August 4, 2006. As described in the UC N/S EIR, the Bridge Alternative also included the Limited Roadway Changes.

This action will provide an authorization to enter into an agreement with PDC for design services. A separate consultant team will be procured to prepare the project-specific EIR. This Agreement with PDC, nor any amendments thereto, does not authorize, nor is it intended to authorize, the hiring, use or payment of attorney services of any kind, including those services provided through PDC or their attorneys. In addition, this action does not include any approval for construction. The project will be brought back to City Council in the future for construction authorization.

The Regents Road Bridge is a four-lane structure across Rose Canyon. The bridge is anticipated to be approximately 870 feet long and the approach roadway is approximately 1,690 feet in length. A professional architect with experience in designing bridges over canyons/lagoon is part of the design team per Council's direction. The project will incorporate design elements to improve vehicular, bicycle and pedestrian mobility and circulation. It will address safety and emergency access and enhance recreational value in the area. The Limited Roadway Changes consist of improvements at three locations: an additional eastbound left-turn lane on the southbound side of Genesee Avenue at State Route 52; an additional eastbound left-turn lane on the southbound side of Regents Road at State Route 52; and a second left-turn and right-turn lane on the westbound side of Governor Drive at Genesee Avenue.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:
(Continued)

ITEM-334: (Continued)

STAFF SUPPORTING INFORMATION: (Continued)

FISCAL CONSIDERATIONS:

The current funding available in CIP-53-044.0, Regents Road Bridge, is \$3,997,958. Additional \$2,000,000 is needed to fund this Agreement and to procure a separate firm to prepare a project-specific EIR. This can be done by transferring funds originally scheduled in Fiscal Year 2009 to the Fiscal Year 2008 Capital Improvements Program in CIP-53-044.0, Regents Road Bridge, Fund 79001, North University City Facilities Benefit Assessment (NUC FBA). There is adequate fund balance in the NUC FBA to cover this activity without impacting the assessment rate.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

April 21, 2003 (R-297850)-approval of Agreement with PDC; December 5, 2005 (R-3001102)-approval of First Amendment to the Agreement; August 1, 2006 (R-301787)-Certification of the EIR and authorization to proceed with the next stage of the Regents Road Bridge Alternative; April 2, 2007 (R-302497)-Resolution to clarify the intent of Resolution R-301787.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Over the past four years, the City has focused on providing residents, businesses and other interested parties with the most current and up-to-date information about the project. In 2003 a thirty member Public Working Committee was formed to examine all potential solutions and assisted the City in narrowing down alternatives to be studied in the EIR. In addition, a web site was established and maintained, and informational materials were distributed via mail and e-mail. A public scoping meeting and two public information sessions were held in 2003 and 2004. A six and a half hours public hearing took place on August 1, 2006, which resulted in the City Council certifying the EIR and directing staff to proceed with the Regents Road Bridge Alternative.

KEY STAKEHOLDERS:

City of San Diego, University City Planning Group, Project Design Consultants, University City North/South Transportation Corridor Public Working Committee, UC Golden, UC Connection, Friends of Rose Canyon, San Diego Coastkeeper, and Endangered Habitats League.

Boekamp/Haas

Aud. Cert. 2800037.

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