

ORDINANCE NUMBER O- 19752 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 27 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE
A SECOND AMENDMENT TO THE AGREEMENT WITH
MARTINEZ + CUTRI CORPORATION FOR PROFESSIONAL
SERVICES FOR THE LOGAN HEIGHTS BRANCH LIBRARY.

WHEREAS, on May 20, 2003, the City of San Diego [City] entered into an agreement with Martinez + Cutri Corporation, on file in the office of the City Clerk as Document No. RR-297961, to provide professional services for the design of the Logan Heights Branch Library [Project]; and

WHEREAS, on October 31, 2005, the Council of the City of San Diego [Council] approved the First Amendment to the Agreement between the City and Martinez + Cutri Corporation to provide additional professional services during the design phase of the Project, on file in the office of the City Clerk as Document No. RR-300992; and

WHEREAS, the City now desires to enter into a Second Amendment to the Agreement with Martinez + Cutri Corporation to provide professional services during construction of the Project; and

WHEREAS, under San Diego Charter Section 99 no contract, agreement or obligation extending for a period of more than five years may be authorized except by ordinance adopted by a two-thirds' majority vote of the City Council; NOW, THEREFORE,

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

Section 1. That the Mayor or his designee is authorized and empowered to execute, for and on behalf of said City, a Second Amendment to the Agreement with Martinez + Cutri Corporation for professional design services for the Logan Heights Branch Library [Project] in

an additional amount not to exceed \$165,000, for a total contract amount of \$915,000, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer, and under the terms and conditions set forth in the Second Amendment to the Agreement, on file in the office of the City Clerk as Document No. OO- 19752.

Section 2. That the additional expenditure of \$165,000 from CIP No. 35-101.0, Logan Heights Branch Library, Fund No. 18522, Section 108 Logan Heights Library, is authorized for the Second Amendment to the Agreement with Martinez + Cutri Corporation for the Project.

Section 3. That the City Auditor and Comptroller, upon advice from the administrating department is authorized to transfer excess funds, if any, to the appropriate reserve.

Section 4. That this activity is not subject to the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines section 15378(c). This activity is a subsequent discretionary approval adequately covered under the Finding of No Significant Impact/Negative Declaration No. 42-0267 (Logan Heights Branch Library). The activity is adequately addressed in the environmental document and there are no changes in circumstance, additional information, or project changes to warrant additional environmental review pursuant to CEQA Guidelines section 15162.

Section 5. That a full reading of this ordinance is dispensed with prior to passage, since a written copy was made available to the City Council and the public prior to the day of passage.

Section 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Christina Bellows
Christina Bellows
Deputy City Attorney

CB:sc:mb
02/11/08
Aud.Cert:2800521
Or.Dept:E&CP
O-2008-107

I hereby certify that the foregoing ordinance was passed by the Council of the City of San Diego,
at its meeting of MAY 20 2008.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 5-27-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor