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(O-2010-21)

ORDINANCE NUMBER O- 19923 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 2 7 2010

AN ORDINANCE OF THE SAN DIEGO CITY COUNCIL AUTHORIZING A SECOND AMENDMENT TO THE FACILITY FRANCHISE AGREEMENT WITH SAN DIEGO LANDFILL SYSTEMS REGARDING THE TRANSPORTATION AND BENEFICIAL REUSE OF BIOSOLIDS.

WHEREAS, on August 11, 1999, the City and San Diego Landfill Systems entered into the Facility Franchise Agreement [Agreement] on file in the Office of the City Clerk as Document No. OO-18668, which includes provisions for the San Diego Landfill Systems to collect, transport and dispose of biosolids generated at the City's Metropolitan Biosolids Center; and

WHEREAS, on March 8, 2005, the City and San Diego Landfill Systems entered into the First Amendment to the Agreement, on file in the Office of the City Clerk as Document No. OO-19355, which extended San Diego Landfill Systems' right and obligation to collect and transport biosolids until March 1, 2010, and added the requirement that San Diego Landfill Systems beneficially use all the biosolids collected; and

WHEREAS, the City and San Diego Landfill Systems desire to extend the Agreement another five years, until March 1, 2015, and to add the City's living wage requirements to the Agreement; 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 to execute, for and on behalf of the City, an amendment to the Facility Franchise Agreement with San Diego Landfill Systems

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under the terms and conditions set forth in the Second Amendment, on file with the City Clerk as

19923 Document No. OO-

Section 2. That the expenditure of an amount not to exceed \$1,725,000 from the Public Utilities Department, Wastewater Fund No. 700001 is authorized, solely and exclusively to provide funds in Fiscal Year 2010 for the Second Amendment.

Section 3. That the expenditure necessary for the Second Amendment in subsequent fiscal years is authorized contingent on City Council approval of such funding in the Public Utilities Department budget in the respective fiscal years, and provided that the City Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Section 4. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the City Council and the public prior to the day of passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JÁN I. GOLDSMITH, City Attorney

By

Thomas C. Zelenv

Deputy City Attorney

TCZ:mb 12/08/09

Cert.No:3000002636

Or.Dept:MWWD

O-2010-21

• •	vas passed by the Council of the City of San Diego
at its meeting ofJAN 2 6 2010 .	ELIZABETH S. MALAND, City Clerk
	By MaRchards
	Deputy City Clerk
Approved: 1-27.10	
(date)	JERRY SANDERS, Mayor
Vetoed:	
(date)	JERRY SANDERS, Mayor

April 1

The City of San Diego COMPTROLLER'S CERTIFICATE

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