

RESOLUTION NUMBER R- 308389

DATE OF FINAL PASSAGE AUG 05 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AN INCREASE IN THE FISCAL YEAR 2014 CAPITAL IMPROVEMENT PROGRAM BUDGET IN CIP S-00799, SAN DIEGO NEW CENTRAL LIBRARY, AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 5 TO PROVIDE ADDITIONAL STATE-OF-THE-ART AUDIO-VISUAL IMPROVEMENTS FOR THE NEW CENTRAL LIBRARY AND AUDITORIUM.

WHEREAS, construction of the New Central Library (Project), located between Park Boulevard, 11th Avenue, and J Street began on August 1, 2010; and

WHEREAS, the nine-story Project provides numerous public amenities including public meeting rooms, terraces, roof gardens, public computers, broadband wireless Internet, a children's library, teen center, special events room, art gallery, underground parking, and a separate auditorium and café; and

WHEREAS, to achieve the Project's educational mission, additional state-of-the-art audio-visual improvements are being incorporated into the library and auditorium; and

WHEREAS, this action provides for the audio-visual improvements in the City TV studio on the 4th floor of the new central library to support the City, the public, and the charter school; and

WHEREAS, the resulting public, education, and government access channel facility inside the new central library will create and air programs on cable channels 19 (education), 23 (public access), and 24 (CityTV, government access); and

WHEREAS, the Public, Education and Government (PEG) Fees are paid by Cox Cable and ATT U-verse and are dedicated to PEG television capital projects; and

WHEREAS, this action requests the additional appropriation and expenditure of \$650,000 in PEG Fees, Fund No. 200595 to CIP S-00799, San Diego New Central Library, for the purpose of providing audio-visual improvements for the Project; and

WHEREAS, the \$650,000 in PEG Fees will fund Change Order No. 5 to the Construction Manager at Risk Agreement with Turner Construction Company for the design and construction of the audio-visual improvements in the Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Chief Financial Officer (CFO) is authorized to increase the Fiscal Year 2014 Capital Improvements Program Budget in CIP S-00799, San Diego New Central Library, and to appropriate \$650,000 from Fund 200595, PEG Fee (City TV), for the purpose of providing audio-visual improvements design and construction for the Project, contingent upon the adoption of the Fiscal Year 2014 Appropriation Ordinance and contingent upon the CFO furnishing a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute Change Order No. 5 to the Construction Manager at Risk Agreement with Turner Construction Company for an amount not to exceed \$650,000, for the purpose of design and construction of the audio-visual improvements for the Project, under the terms and conditions set forth in Change Order No. 5 which is on file in the Office of the City Clerk as Document No.

RR- 308389, contingent upon the CFO furnishing a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

BE IT FURTHER RESOLVED, that the CFO is authorized to expend an amount not to exceed \$650,000 from CIP S-00799, San Diego New Central Library, Fund No. 200595, PEG Fee (City TV), for the purpose of providing audio-visual improvements design and construction

for the Project, by funding Changer Order No. 5 with Turner Construction Company, contingent upon the Chief Financial Officer furnishing a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

APPROVED: JAN I. GOLDSMITH, City Attorney.

By Christina L. Rae  
Christina L. Rae  
Deputy City Attorney

CLR:jab:cw  
07/16/13  
Or.Dept: Public Works/Engineering-AEP  
Doc. No. 591037\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~JUL 30 2013~~.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 8/2/13  
(date)

Bob Filner  
BOB FILNER, Mayor

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

\_\_\_\_\_  
BOB FILNER, Mayor

Passed by the Council of The City of San Diego on JUL 30 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 05 2013

**(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:

BOB FILNER  
Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California  
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