

#58  
6/10/14  
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5/20/14  
(O-2014-110)

ORDINANCE NUMBER O- 20377 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 23 2014

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING CHANGE ORDER NO. 3 TO THE AGREEMENT WITH HABITAT WEST, INC. FOR HABITAT RESTORATION AND MAINTENANCE WORK AS PART OF THE CENTRAL TECOLOTE CANYON MITIGATION PROJECT.

WHEREAS, on January 19, 2011, the City of San Diego (City) entered into an agreement with Habitat West, Inc. (Habitat West), in the amount of \$905,322.00, for the Central Tecolote Canyon Mitigation Project (Project), which Project involved the enhancement of wetland habitat and the restoration of upland habitat located within Tecolote Canyon, work that includes implementation of a maintenance and monitoring period of up to five years; and

WHEREAS, the City and Habitat West executed Change Order No. 1 on June 22, 2011 to authorize additional work requested by the City, including greater tree removal, for the additional compensation amount of \$37,213.80; and

WHEREAS, the City and Habitat West executed Change Order No. 2 on October 24, 2012 to extend the above agreement in order to implement Years 2 and 3 of the maintenance and monitoring period at no additional cost; and

WHEREAS, the City desires to implement Years 4 and 5 of the maintenance and monitoring period, which action will cause the above agreement to extend for a period of more than five years; and

WHEREAS, under Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved 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:

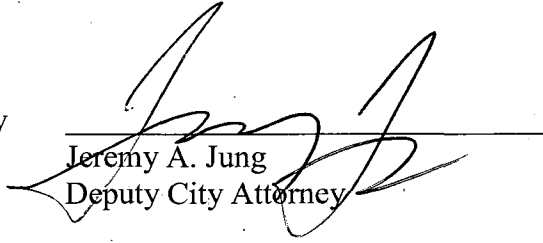
Section 1. That the Mayor, or his designee, is authorized to execute, for and on behalf of the City, Contract Change Order No. 3 to the aforementioned agreement with Habitat West, a copy of which is on file in the Office of the City Clerk as Document No. OO- 20377, to extend the contract time by 730 calendar days at no additional cost and allow implementation of Years 4 and 5 of the maintenance and monitoring period.

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
Jeremy A. Jung  
Deputy City Attorney

JAJ:cw

05/06/14

Or.Dept: Public Utilities

CC No.: N/A

Doc. No.: 781904

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 10 2014.

ELIZABETH S. MALAND  
City Clerk

By *Mary Teronday*  
Deputy City Clerk

Approved: 6/19/2014  
(date)

*Kevin L. Faulconer*  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 10 2014, 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"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 JUN 23 2014

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

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

By Mary Fernandez, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 20 2014, and on JUN 23 2014

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

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

By Mary Fernandez, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20377