

Item 342
Subitem A
Tues. 6/17/14

RESOLUTION NUMBER R- 309063

DATE OF FINAL PASSAGE JUN 25 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE EXPENDITURE TOWARD
THE LANDSCAPE CONTRACT WITH TREEBEARD
LANDSCAPE, INC. FOR THE TIERRASANTA
MAINTENANCE ASSESSMENT DISTRICT FOR SERVICES
IN EXCESS OF \$1 MILLION.

WHEREAS, the City of San Diego's Park and Recreation Department, Open Space
Division, currently administers 50 of the 57 Maintenance Assessment Districts located
throughout the City, including the Tierrasanta Maintenance Assessment District (District); and

WHEREAS, the District was established in September 1972, per Resolution R-206592, to
provide landscape maintenance services; and

WHEREAS, the City Council last authorized approval of the updated assessment
engineer's report and annual levy of assessments for the District on July 16, 2013, per Resolution
R-308364; and

WHEREAS, the District maintains landscape and hardscape medians, parkways, and
undeveloped open space; and

WHEREAS, all landscape maintenance activities in the District are provided by a
landscape contractor; and

WHEREAS, the landscape activities and areas of maintenance in the District include care
and cleaning of street medians, parkway landscaping, sidewalk, curb and gutter, landscaped
slopes, mini-parks, greenbelts, and open space areas; and

WHEREAS, regular maintenance tasks in the District include litter removal, sweeping,
edging, trimming, weeding, and related functions; and

WHEREAS, the City awarded and executed Contract No. 10029689-13-W beginning on May 1, 2013 (Contract) with Treebeard Landscape for landscape maintenance services within the District, having an initial term of one year, with up to four one-year contract extension options; and

WHEREAS, the Contract is automatically renewed upon the expiration of its initial term, and on the anniversary of the initial term each year thereafter for four years beyond the expiration of the initial term, provided that the City fails to notify the Treebeard Landscape in writing that the City does not wish to renew the Contract; and

WHEREAS, the City desires to renew the Contract, as may be available pursuant to the Contract; and

WHEREAS, the Contract is phase funded, with authority granted for each phase contingent upon the City Council's approval of future appropriation ordinances and assessment levies and with a maximum expenditure threshold of \$1 million; and

WHEREAS, it is anticipated that the maximum expenditure threshold of \$1 million for the Contract will be exceeded in Fiscal Year 2015; and

WHEREAS, this action will authorize exceeding the \$1 million threshold over the remainder of the five-year period in accordance with San Diego Municipal Code section 22.3211(d) and authorize the expenditure of funds, contingent upon the City Council authorizing the levy of assessments within the District and adopting the annual appropriation ordinance for each fiscal year of the Contract; and

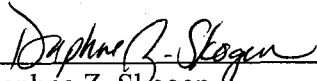
WHEREAS, the Contract constitutes a contract or task order extended on or after January 1, 2014, such that the City shall require compliance with California Labor Code sections 1770 –

1781 (state prevailing wage laws) pursuant to Chapter 2, Article 2, Division 30 of the San Diego Municipal Code; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Chief Financial Officer is authorized and directed to expend an amount not to exceed \$4,179,781.96 over five years from Fund No. 200030, Tierrasanta Maintenance Assessment District, for the purpose of funding the Contract, contingent upon adoption of the resolution authorizing the levy of assessments within the District and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Daphne Z. Skogen
Deputy City Attorney

DZS:dkr
4/4/2014
Or.Dept: Park & Rec. Dept.
CC No. 761188
Doc. No. 760106

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 17 2014.

ELIZABETH S. MALAND
City Clerk

By Mary Fernandez
Deputy City Clerk

Approved: 6/25/14
(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 17 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 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 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 25 2014

(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:

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

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

(Seal)

By *Mary Sanchez*, Deputy

Office of the City Clerk, San Diego, California

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