

Item 57
(O-2017-29)
(COR.COPY)
10-18-16

ORDINANCE NUMBER O- 20734 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 01 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO TO AUTHORIZE A PHASE FUNDED CONTRACT WITH HELIX ENVIRONMENTAL CONSTRUCTION GROUP FOR CONSTRUCTION AND MAINTENANCE OF THE STADIUM WETLAND MITIGATION SITE.

WHEREAS, the City of San Diego is obligated to comply with Federal, State, and Local regulations that require the protection, restoration, and preservation of wetland habitat. Certain City projects carried out by the Public Utilities, Public Works, and Transportation & Storm Water Department result in unavoidable impacts to wetlands (environmentally sensitive lands), in order to maintain, monitor, repair, or construct essential City infrastructure. These projects are essential to maintain the high quality of services provided by the City while ensuring human health, safety, and the protection of property; and

WHEREAS, this action is for approval of a six-year four-month phase funded contract agreement with Helix Environmental Construction Group, not to exceed \$3,928,594.95, to construct the Stadium Wetland Mitigation Project. The mitigation site will restore 56 acres of native habitat within the San Diego River and provide Public Utilities Department, and other City Departments, with wetland mitigation credits to offset unavoidable impacts to environmentally sensitive lands that result from implementation of essential City projects; and

WHEREAS, this activity was adequately addressed in the EIR Project No. 6020 for the Canyon Sewer Cleaning Program and EIR Project No. 320787; and

WHEREAS, Charter section 99, a two-thirds vote of the Council is required for passage of this ordinance; NOW, THEREFORE,

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

Section 1. Authorizing the Mayor, or his designee, to execute a phase funded contract with Helix Environmental Construction Group for construction and maintenance of the Wetland Mitigation Site, in an amount not to exceed \$3,928,594.95, with a contract duration of six-years and four-months, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the City Comptroller furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and

Section 2. Authorizing the Chief Financial Officer to expend an amount not to exceed \$3,928,594.95 from Muni Sewer Revenue Fund 700000, for the purpose of funding construction of the Wetland Mitigation Project, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer; and

Section 3. Authorizing the City Comptroller to establish an interest-bearing, non-wasting, special fund for the long term maintenance and management of the Wetland Mitigation Site; and

Section 4. Authorizing the Chief Financial Officer to accept, appropriate, and expend principal and interest from the special fund to support the long term maintenance and management of the Wetland Mitigation Site.

Passed by the Council of The City of San Diego on OCT 18 2016, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 NOV 01 2016

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.

By [Signature], 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

OCT 04 2016

NOV 01 2016

, and on _____

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.

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

By [Signature], Deputy

Office of the City Clerk, San Diego, California

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