

ORDINANCE NUMBER O- 20973 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 01 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXTENSION OF BANKING SERVICES CONTRACT (BANK OF AMERICA) FOR FOUR MONTHS, WITH MONTH-TO-MONTH TERMINATION OPTIONS, AND INCREASE THE NOT-TO-EXCEED AMOUNT.

WHEREAS, under San Diego City Charter (Charter) Section 45, the City Treasurer is responsible for the selection of the City's banking services provider; and

WHEREAS, the current City Banking Services Agreement with Bank of America (Agreement), approved by the San Diego City Council (City Council) by San Diego Resolution R-308330 (Jul. 19, 2013), began on August 1, 2013 and remains in effect until July 26, 2018; and

WHEREAS, San Diego Resolution R-311188 (Jun. 21, 2017), amended the Agreement's not-to-exceed (NTE) contract amount to \$9,050,000 for the term of the Agreement; and

WHEREAS, a comprehensive Request for Proposal (RFP) for Banking Services (Solicitation Number 10089286-18-F) was issued on October 26, 2017 and negotiations for new banking services contracts will not be completed prior to the scheduled termination of the current Agreement with Bank of America; and

WHEREAS, an extension of the current Agreement for four (4) months, with month-to-month termination options, will ensure continuity of banking services and provide the necessary time to complete the award recommendation process; and

WHEREAS, the Agreement's NTE amount must be increased by an additional \$750,000 amount for the full four (4) month contract extension period; and

WHEREAS, the extension will extend the term of the Agreement beyond 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 said City, an amendment to extend the City Banking Services Agreement with Bank of America for a period of four months, with month-to-month termination options, under the terms and conditions set forth in the First Amendment to the Agreement, on file in the office of the City Clerk as Document No. OO 20973


Section 2. That the expenditure of an additional amount not-to-exceed \$750,000 is authorized for the purpose of funding this amendment to the Agreement, contingent upon the City Comptroller first certifying funds are available for the above referenced Project.

Section 3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. 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 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Jennifer L. Berry
Deputy City Attorney

JLB:jvg

6/5/2018
Or.Dept:City Treasurer
Doc. No. 1766700

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 31 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/1/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

JUL 31 2018

Passed by the Council of The City of San Diego on _____, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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 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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage **AUG 01 2018**

AUTHENTICATED BY:

(Seal)

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

JUL 17 2018

AUG 01 2018

, 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.

(Seal)

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

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- **20973**