

#58
11/13/18

(O-2019-49)

ORDINANCE NUMBER O- 21010 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 20 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, AND SAN DIEGO COUNTY WATER AUTHORITY FOR THE INTEGRATED REGIONAL WATER MANAGEMENT PROGRAM FOR FISCAL YEARS 2012-2016.

WHEREAS, Proposition 50 and Proposition 84 authorized \$500 million and \$1 billion, respectively, in state funds for local Integrated Regional Water Management (IRWM) projects, and Proposition 1 authorized an additional \$510 million in state funds for IRWM projects in 2014 to coordinate and integrate water supply, water quality, and environmental stewardship across a region to maximize benefits and resolve conflicts; and

WHEREAS, the Memorandum of Understanding between the City of San Diego Public Utilities Department, the County of San Diego, and the San Diego County Water Authority for the San Diego Integrated Regional Water Management (IRWM) Program (MOU) originally authorized a City cost share of \$490,000 for the period FY 2012 through FY 2016; and

WHEREAS, the First Amendment to the MOU additionally authorized a City cost share of \$419,425 for the period April 1, 2015 through June 30, 2019, and the MOU will expire June 30, 2019; and

WHEREAS, the Public Utilities Department is requesting the Second Amendment to the MOU to authorize a revised City cost share of \$581,598 for the period of April 1, 2015 through December 31, 2020, to further extend the MOU to December 31, 2020 by lifting the five-year limit and extending the term date in order to administer the Proposition 1 IRWM grant, and to authorize \$162,173 in additional

funds to meet the City's revised cost share of \$581,598 for the Second Amendment, amounting to an overall City MOU cost of \$1,071,598 through December 31, 2020; 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 in his capacity under Charter section 265(b), or his designee, is authorized to execute for and on behalf of the City, the Second Amendment to the MOU between the City of San Diego, County of San Diego, and San Diego County Water Authority for the Integrated Regional Water Management Program for Fiscal Years 2012-2016, extending the term through December 31, 2020 and increasing the City's share of the cost by \$162,173, bringing the total revised cost to the City to \$581,598 for the period of April 1, 2015 through December 31, 2020, and the City's overall MOU cost total to \$1,071,598.

Section 2. That the Mayor or his designee, is authorized to execute amendments to the MOU as necessary to administer the Program.

Section 3. The Mayor or his designee, is authorized to take all necessary actions to implement and secure Program grant funding, including conducting negotiations and executing documents necessary for receipt, expenditure, or distribution of funds awarded as a result of participating in this Program.

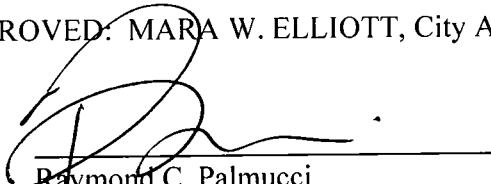
Section 4. That the Chief Financial Officer is authorized to expend an amount not to exceed \$162,173 from the Water Utility Operating Fund 700011, for the purpose of supporting administration of the State Proposition 1 grant pursuant to the MOU, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the

City Comptroller first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 5. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 6. 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 
Raymond C. Palmucci
Deputy City Attorney

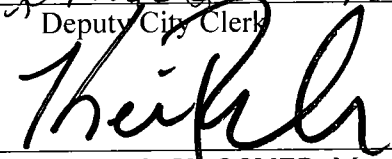
RCP:amc
October 2, 2018
Or.Dept: Public Utilities
Doc. No.: 1845414

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 13 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/20/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

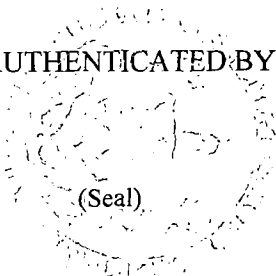
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 13 2018, 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 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"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 20 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 Linda Irwin, Deputy

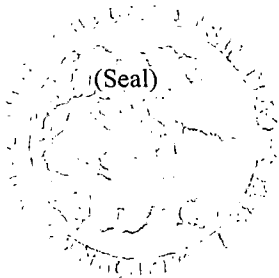
I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 23 2018

, and on

NOV 20 2018

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 Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21010