

ORDINANCE NUMBER O- 22013 (NEW SERIES)DATE OF FINAL PASSAGE MAR 07 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SECOND AMENDMENT TO  
THE AGREEMENT WITH TRUSSELL TECHNOLOGIES, INC.  
FOR SPECIALIZED TECHNICAL SUPPORT SERVICES FOR  
NORTH CITY PURE WATER FACILITY AND  
DEMONSTRATION PURE WATER FACILITY (CONTRACT  
NO. H186591) AND RELATED ACTIONS.

WHEREAS, as part of the Pure Water Program implementation, the North City Water Reclamation Plant (NCWRP) will be expanded so that the facility can treat an average annual flow of 52 million gallons per day (mgd), continue serving recycled water customers, and provide tertiary-treated water to the Pure Water Facility so it can produce 30 mgd of drinking water; and

WHEREAS, the Demonstration Pure Water Facility (DPWF) serves as a testing ground to evaluate new treatment strategies and processes for the Pure Water Program; and

WHEREAS, in February 2018, the City awarded an agreement to Trussell Technologies, Inc. (Trussell) to perform specialized technical services for the NCWRP and the DPWF for a period of five years, in an amount not to exceed \$4,860,000, which is on file in the Office of the City Clerk as Document No. R.311484 (Agreement); and

WHEREAS, on March 22, 2019, the City executed the First Amendment to the Agreement adding services relating to the DPWF reverse osmosis system at no additional cost to the City; and

WHEREAS, the second amendment will extend the term of the Agreement for an additional five years, increase the not to exceed amount of the Agreement by \$3,190,000 for a total not to exceed amount of \$8,050,000, and add additional scope of work as more fully set forth in the proposed second amendment which is included in the staff materials accompanying this ordinance (Second Amendment); and

WHEREAS, the Second Amendment if approved will be effective as of February 25, 2023; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; 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. The Second Amendment extending the term of the Agreement for an additional five years, increasing the not to exceed amount of the Agreement to \$8,050,000, and adding additional services to be performed for the remainder of the term, which once signed by all parties and approved as to form, will be on file in the Office of the City Clerk as Document No. OO- 21613, is approved.

Section 2. That the Mayor, or his designee, is authorized to sign and deliver the Second Amendment.

Section 3. That the Chief Financial Officer is authorized to expend an additional amount not to exceed \$3,190,000 from Fund 700011, Water Utility Operating Fund, for the purpose of executing this Second Amendment to the Agreement, contingent upon the 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 funds necessary for expenditure are, or will be on deposit with the City Treasurer.

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

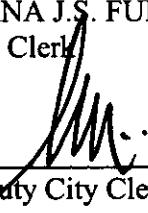
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Elizabeth Cason  
Elizabeth Cason  
Deputy City Attorney

EC:hm  
1/23/2023  
Or.Dept:PW  
Doc. No. 3199823

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of FEB 28 2023

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 3/6/23  
(date)

  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

(The date of final passage is March 7, 2023, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on February 28, 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 07 2023.

AUTHENTICATED BY:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J. S. FUENTES

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

February 7, 2023

and on MAR 07 2023.

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)

DIANA J. S. FUENTES

City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21623