

ORDINANCE NUMBER O- 21664 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 27 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE FIRST AMENDMENT TO
THE CONSULTANT AGREEMENT WITH DUDEK FOR
PROFESSIONAL ENVIRONMENTAL CONSULTING AND
ENGINEERING SERVICES FOR THE MISSION BAY PARK
IMPROVEMENTS PROGRAM ENVIRONMENTAL IMPACT
REPORT (H176881) AND RELATED ACTIONS.

WHEREAS, the City entered into a five year Professional Environmental Consulting and Engineering Services phase funded agreement (Consultant Agreement) with Dudek on June 29, 2018 to collaborate with the City, and other local, state and federal agencies to prepare a Program Environmental Impact Report (PEIR) for Mission Bay Park Improvements for a not to exceed amount of \$5,811,331.25 (H176881); and

WHEREAS, the Consultant Agreement provides environmental and associated engineering services for the Mission Bay Park Improvements project through preparation of a PEIR; and

WHEREAS, the services include coordination of technical consultants, preparation of Preliminary Engineering Reports (PERs), and preparation of various associated technical reports, and completion of the PEIR; and

WHEREAS, City staff has negotiated an amendment to the Consultant Agreement that expands the scope of the services to include preparation of new habitat restoration plans for the new configuration of habitat on North Fiesta Island and the expanded wetland restoration efforts around the original Rose Creek wetland restoration as described in the Mission Bay Park 10-year Improvement Plan in order to align with the De Anza Natural Plan (First Amendment); and

WHEREAS, the First Amendment also includes additional project management services including coordination with City staff, coordination with the expanded list of subconsultants and other project meetings with City staff and inter/multi-departments; and

WHEREAS, the First Amendment extends the duration of the Consultant Agreement from sixty months to ninety-six months and adds \$596,836.04 in funding; 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 City Council; 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; NOW, THEREFORE,

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

Section 1. The First Amendment to the Consultant Agreement with Dudek (H176881) to extend the contract duration from 60 months to 96 months and to authorize an additional expenditure of \$596,839.04 under the terms and conditions set forth in the agreement on file in the Office of the City Clerk as Document No: OO- **21664**, is approved; and


Section 2. The Mayor, or designee, is authorized to execute the First Amendment; and

Section 3. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$596,839.40 from CIP A-GF.00004, Mission Bay Park Improvements (B-18079, Mission Bay Park Projects Environmental Impact Report [EIR]), Fund 200389, Fiesta Island Sludge Mitigation, for the purpose of executing the First Amendment to the Consultant Agreement.

Section 4. 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 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 
Dana C. Fairchild
Deputy City Attorney

DCF:hm
April 24, 2023
Or.Dept: E&CP
Doc. No.: 3285855

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 20 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 6/27/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 20 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUN 27 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 Connie Patterson, 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

JUN 06 2023

, and on JUN 27 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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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