

ORDINANCE NUMBER O- 21666 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 27 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE MAYOR TO APPLY AND  
ACCEPT A GRANT FOR ONE FLOATING RESTROOM  
FROM THE CALIFORNIA DEPARTMENT OF PARKS AND  
RECREATION, DIVISION OF BOATING AND WATERWAYS  
FOR THE EL CAPITAN RESERVOIR.

WHEREAS, floating restrooms provide convenient access for boaters use on lakes and  
reservoirs to prevent sewage from entering our valuable waterways; and

WHEREAS, the State of California, Department of Parks and Recreation, Division of  
Boating and Waterways is committed to provide clean, safe, and enjoyable recreational boating  
in California and partners with the U.S. Fish and Wildlife Service's Clean Vessel Act program,  
funded through the Harbors and Watercraft Revolving Fund, to provide floating restrooms (State  
Floating Restroom Grant Program); and

WHEREAS, the City of San Diego's (City) current facility that was previously provided  
through this grant program has surpassed its useful life and can be replaced by the State's  
Floating Restroom Grant Program; and

WHEREAS, upon delivery and acceptance of the floating restroom the City will be  
required to sign a grant agreement substantially similar to the form agreement that is included  
with the staff materials accompanying this ordinance; and

WHEREAS, as a grant recipient, the City will not incur any fees for the development,  
construction, or deployment of the floating restroom, however, the City will be responsible for

the installation, operation, and maintenance of, as well as accessibility to, the floating restroom for the full period of its useful 10-year lifespan; and

WHEREAS, a grant approval memorandum is included with staff materials as required by San Diego Municipal Code section 22.5203 (c); 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; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

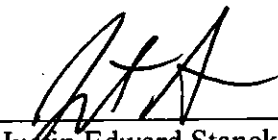
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor, or his designee is authorized to apply for and accept a grant for the replacement of one floating restroom at the El Capitan Reservoir and to take all necessary actions, including signing and delivering a 10-year grant agreement consistent with the terms and conditions in the form agreement included in the staff materials accompanying this ordinance, to secure acceptance of the floating restroom with estimated value of \$175,915.

Section 2. 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 3. 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   
Justin Edward Stanek  
Deputy City Attorney

JES:jdf  
05/22/2023  
06/21/2023 COR. COPY  
Or.Dept: PUD  
Doc. No.: 3295283

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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