

1/10/2023 #100

(R-2023-330)

RESOLUTION NUMBER R- 314563  
DATE OF FINAL PASSAGE JAN 13 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO TO RATIFY AN EMERGENCY CONTRACT  
WITH SERVICE AMERICA CORPORATION (DBA  
CENTERPLATE) FOR FOOD SERVICES TO INDIVIDUALS  
WHO TEMPORARILY RESIDED AT THE SAN DIEGO  
CONVENTION CENTER'S EMERGENCY HOMELESS  
SHELTER IN RESPONSE TO THE COVID-19 EMERGENCY.

WHEREAS, the City of San Diego (City) Purchasing & Contracting Department is requesting ratification of the agreement between the City and Service America Corporation (dba Centerplate) (Agreement) to provide food services for individuals who temporarily resided at the San Diego Convention Center's Emergency Homeless Shelter in response to the COVID-19 emergency; and

WHEREAS, San Diego Municipal Code (Municipal Code) section 22.3208(b) authorizes the award of emergency contracts without advertisement or a competitive process when it is necessary to safeguard life, health, or property due to extraordinary fire, flood, storm, epidemic, or other disaster, provided that the Purchasing Agent immediately reports the emergency award and its justifications to the City Council in writing and the City Council ratifies the award by resolution and by a two-thirds vote; and

WHEREAS, on March 4, 2020, the Governor of California declared a state of emergency as a result of the threat of the coronavirus, COVID-19; and

WHEREAS, on March 12, 2020, the Mayor of the City of San Diego (Mayor) proclaimed the existence of a local emergency related to the COVID-19 threat, which was ratified by the San Diego City Council on March 17, 2020 by Resolution No. R-312895; and

WHEREAS, on March 19, 2020, the Governor of California issued Executive Order N-33-20 ordering everyone living in the State of California to stay home or at their place of residence, except to obtain essential services; and

WHEREAS, approximately a year before, on March 25, 2019, City Council declared a shelter crisis to facilitate opening and operation of several temporary bridge shelters (Resolution R-312284); and

WHEREAS, as part of the City's response to the COVID-19 emergency, on April 1, 2020, the City launched Operation Shelter to Home and moved individuals into the San Diego Convention Center to help comply with the County Public Health Order and to allow for proper physical distancing and prevent the spread of COVID-19 among San Diego's homeless population (Executive Order No. 2020-3); and

WHEREAS, after evaluating several food provider options, Service America Corporation (dba Centerplate), the San Diego Convention Center's food service and concessions provider, had the supplies and operational ability to accommodate, on short notice, the request to provide meals in individually boxed containers in order to minimize contact between individuals and prevent the spread of illness; and

WHEREAS, the City executed an agreement with Centerplate to provide food services to those housed in the Convention Center; and

WHEREAS, this contract with Centerplate was exempt from competitive bidding requirements pursuant to Municipal Code section 22.3208(b) because it is a contract necessary to safeguard life and health due to the COVID-19 emergency, and the Purchasing Agent reported the emergency award and its justifications to the City Council on September 9, 2020; and

WHEREAS, the Operation Shelter to Home program was discussed with City Council at the April 7, 2020, June 16, 2020, October 13, 2020, and January 26, 2021 Council meetings; and

WHEREAS, by March 31, 2021, Operation Shelter to Home program ended at the Convention Center having safely served over 400,000 individually boxed meals to nearly 4,200 individuals expending a total amount of \$9,776,628.53; and

WHEREAS, the additional funds for this contract were fully expended in fiscal year 2021 from sources including Coronavirus Aid, Relief, and Economic Security (CARES) fund, State of California COVID-19 Homeless Emergency Grants, Homeless Emergency Aid Program (HEAP) grant, and Community Development Block Grant (CDBG) funds, and there are no future costs associated with this contract; and

WHEREAS, San Diego Municipal Code section 22.3208 (b) requires that City Council ratify this emergency contract by resolution and by a two-thirds vote; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Agreement between the City and Service America Corporation (dba Centerplate) for food services in response to the COVID-19 emergency, that is on file in the Office of the City Clerk as Document No. RR-314563, is ratified and approved.

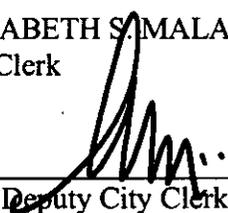
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Eric S. Pooch  
Eric S. Pooch  
Deputy City Attorney

ESP:sc  
12/01/2022  
Or.Dept:PSE  
Doc. No.: 3154872

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 10 2023

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 1/13/23  
(date)

  
TODD GLORIA, Mayor

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

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

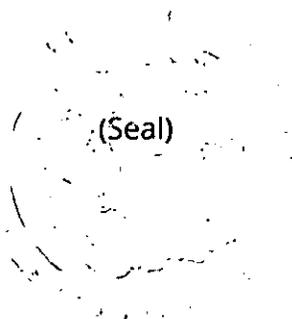
Passed by the Council of The City of San Diego on JAN 10 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JAN 13 2023

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:



TODD GLORIA  
Mayor of The City of San Diego, California.

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

By , Deputy

Office of the City Clerk, San Diego, California  
  
Resolution Number R- 314563