

#55
11/12/24

(O-2025-49)

ORDINANCE NUMBER O- 21894 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 15 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH PLATT WHITELOW ARCHITECTS, INC. FOR DESIGN AND CONSTRUCTION SERVICES FOR THE MIRA MESA COMMUNITY PARK PHASE II IMPROVEMENTS PROJECT (H186977) AND AUTHORIZING RELATED ACTIONS.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. The Mira Mesa Community Park Phase II Improvements include the following amenities: a new aquatic complex including an aquatic center building, aquatic center site components (pools, decking, fencing, etc.), pool equipment/chemical building, new site utilities, new parking lot and fire lane, new sidewalks and pedestrian plaza, bio-retention basins to address stormwater requirements, two new children's play areas separated by user age, two new basketball courts, passive use turf areas, renovation/upgrade of the existing recreation center, upgraded lighting, landscaping, and irrigation, a public art component, a new all-wheels-friendly plaza, shade structure, additional lighting modifications, landscape and irrigation reconfigurations, and site furnishings.

B. On April 3, 2019, the City and Platt Whitelaw Architects, Inc. (Consultant) entered into a Professional Services Agreement for five (5) years in an amount not to exceed \$3,115,072 for design and construction services for the Mira Mesa Community Park Phase II Improvements Project (Agreement).

C. In mid-2024, the City awarded the construction contract for the Mira Mesa Community Park Phase II Improvements Project. The City and Consultant now desire to extend the term of the Agreement to allow Consultant to review submittals, respond to requests for information for the construction's duration, and complete final plans "As-Builts". To meet this objective, the City and Consultant have negotiated the terms of a proposed First Amendment to the Agreement (First Amendment), included in the docket materials accompanying this Ordinance.

D. The First Amendment, which will be effective as of April 3, 2024, will extend the Agreement for three years to a total of eight years, and increase the not-to-exceed compensation amount by \$235,490 to a total of \$3,350,562.

E. 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 this information is complete, true, and accurate.

F. The Agreement is subject to San Diego Charter section 99, which provides (subject to certain exceptions) that no contract, agreement, or obligation creating indebtedness and extending for a period of more than five years may be authorized except by an ordinance adopted by a two-thirds majority of the Council.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. The Council approves the First Amendment.

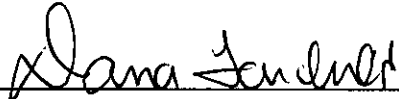
Section 2. The Mayor, or his designee, is authorized on behalf of the City to sign and deliver the First Amendment. When signed by both parties, the First Amendment to the Agreement, on file in the office of the City Clerk as Document No. OO- 21894.

Section 3. The Chief Financial Officer is authorized to expend funds in an amount not to exceed \$235,490 from CIP L-16002 Mira Mesa Community Park Improvements (L-16002.1 Mira Mesa Pool & Skate Plaza Phase 2), Fund 400858, for the purpose of executing this First Amendment to the Agreement, contingent upon the Chief Financial Officer first certifying that the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer.

Section 4. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 5. This Ordinance will 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
October 14, 2024
Or. Dept: E&CP
Doc. No. 3808224

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 12 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 11/15/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 12 2024, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 NOV 15 2024.

AUTHENTICATED BY:

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

(Seal)

DIANA J.S. FUENTES
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 29 2024, and on NOV 15 2024.

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 Linda Irwin, Deputy
For Krystell Medina

Office of the City Clerk, San Diego, California

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