

RESOLUTION NUMBER R- 315519

DATE OF FINAL PASSAGE MAY 24 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF CONTRACT NO. 10089857-23-L WITH AZTEC LANDSCAPING, INC., AND AUTHORIZING THE ASSOCIATED EXPENDITURE OF FUNDS NOT TO EXCEED \$5,740,474 FOR LANDSCAPE MAINTENANCE, IMPROVEMENTS, AND ACTIVITIES WITHIN THE TORREY HILLS MAINTENANCE ASSESSMENT DISTRICT.

WHEREAS, the City of San Diego (City)'s Parks and Recreation Department, Open Space Division, currently administers certain Maintenance Assessment Districts (MADs) located throughout the City, including the Torrey Hills Maintenance Assessment District (District); and

WHEREAS, the District was established in March 1998, per Resolution R-289875, to provide landscape maintenance, improvements, and activities, and authorized assessment increases based on future cost-indexing, in accordance with the written assessment engineer's report (Engineer's Report) prepared as part of the District formation, filed in the Office of the City Clerk as Document No. RR-289876; and

WHEREAS, each year the City Council approves certain updates to the Engineer's Report (Annual Report), including a proposed budget for the upcoming fiscal year; and

WHEREAS, the City awarded and executed Contract No. 10089857-23-L (Contract) with Aztec Landscaping, Inc. pursuant to Solicitation No. 10089857-23-L to furnish the District with landscape maintenance, improvements, and activities in accordance with the Engineer's Report, including care and cleaning of street medians, parkway landscaping, sidewalks, curbs, gutters,

brow ditches, landscaped slopes, greenbelts, developed park features, and open space easement areas, and regular maintenance tasks such as litter removal, sweeping, edging, trimming, weeding, and related functions; and

WHEREAS, the Contract provides for an initial term of one year and with up to four one-year extensions that may be exercised by the City; and

WHEREAS, the Contract is phase funded, with authority granted for each phase contingent upon the City Council's approval of the Annual Report and adoption of the annual appropriation ordinance for each fiscal year of the contract; and

WHEREAS, the City anticipates that costs for services under the Contract will exceed \$3,000,000, therefore requiring the City Council's approval in accordance with San Diego Municipal Code section 22.3206(d); NOW, THEREFORE,

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

1. The Mayor, or designee, is authorized to execute for and on behalf of the City of San Diego, the Contract and extensions under the terms and conditions set forth in the Contract on file with the City Clerk as Document No. RR - 315519, in an amount not to exceed \$5,740,474 during the term of the Contract.

2. The Chief Financial Officer is authorized to expend funds in an amount not to exceed \$5,740,474 over the five-year term of the Contract, from Fund No. 200070, Torrey Hills Maintenance Assessment District, for the purpose of funding the Contract, contingent upon

approval of the Annual Report and the Annual Appropriation Ordinance for applicable fiscal years, 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.

APPROVED: MARA W. ELLIOTT, City Attorney

By *Daphne Z. Skogen*
Daphne Z. Skogen
Deputy City Attorney

DZS:hm
04/30/2024
Or.Dept: Park & Rec
Doc. No.: 3637490

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 14 2024.

DIANA J.S. FUENTES
City Clerk

By *Kristell Medina*
Deputy City Clerk

Approved: 5/24/24
(date)

Todd Gloria
TODD GLORIA Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 14 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 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 MAY 24 2024.

(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.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Kristine Medina*, Deputy

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| Office of the City Clerk, San Diego, California |
| Resolution Number R- 315519 |