

#56
6/8/2021

(O-2021-121)

ORDINANCE NUMBER O- 21326 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 14 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A SECOND AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND SAN DIEGO FREE RIDE, LLC AND TAG-A-LONG SAN DIEGO, LLC FOR A DEMAND-RESPONSE DOWNTOWN CIRCULATOR SHUTTLE AND APPROVING RELATED FUNDING.

WHEREAS, Civic San Diego, a California nonprofit public benefit corporation (CivicSD), and San Diego Free Ride, LLC, a California limited liability company, and Tag-A-Long San Diego, LLC, a California limited liability company (collectively, Contractor) entered into that certain agreement, dated April 20, 2016, as amended by that certain first amendment, dated November, 2017 (collectively, Agreement) to provide for Contractor's operation of a demand-response circulator shuttle in downtown San Diego; and

WHEREAS, CivicSD assigned its rights and obligations under the Agreement to the City of San Diego (City) pursuant to that certain Assignment and Assumption Agreement dated June 18, 2019; and

WHEREAS, the City desires to extend the term of the Agreement for one (1) year to continue circulator services downtown (Second Amendment) while a request for proposals for future shuttle services is developed, a copy of the Second Amendment is included in the backup materials accompanying this Ordinance; and

WHEREAS, under San Diego 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 Council; NOW, THEREFORE,

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

Section 1. The Council approves the Second Amendment.

Section 2. The Mayor, or designee, is authorized and directed to execute the Second Amendment. A copy of the Second Amendment, when fully executed, shall be placed on file with the City Clerk as Document No. OO- 21326.

Section 3. The Chief Financial Officer is authorized and directed to appropriate and expend an amount not to exceed \$1.2 million from Fund 200489, Downtown Community Parking District Fund, for the continued circulator services downtown, 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.

Section 4. A full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the City Council and the public prior to the day of its passage.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Katherine A. Malcolm
Katherine A. Malcolm
Deputy City Attorney

KAM:cm
04/20/2021
Or.Dept: Planning
Doc. No.: 2639979

I certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 06/08/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Connie Patterson
Deputy City Clerk

Approved: 6/14/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 08 2021, 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 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"/>
Chris Cate	<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 14 2021

AUTHENTICATED BY:

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

(Seal)

ELIZABETH S. MALAND
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 MAY 25 2021, and on JUN 14 2021.

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)

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21326</u>