

ORDINANCE NUMBER O- 21400 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 17 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A SERVICE AGREEMENT WITH STEARNS, CONRAD & SCHMIDT, CONSULTING ENGINEERS, INC. TO PROVIDE MIRAMAR LANDFILL GAS COLLECTION SYSTEM OPERATION AND MAINTENANCE SERVICES AND TAKING RELATED ACTIONS.

WHEREAS, the City of San Diego (City) operates the Miramar Landfill pursuant to a lease with the United States Department of the Navy (Navy Lease), which grants the City rights to operate the landfill and imposes obligations associated with methane gas created by landfilling operations (Landfill Gas); and

WHEREAS, the Landfill Gas must be collected in a Landfill Gas Collection System and conveyed to facilities for destruction in a manner to comply with applicable law and the Navy Lease; and

WHEREAS, a Request for Proposals (RFP) for services to operate and maintain the Landfill Gas Collection System was advertised pursuant to San Diego Municipal Code section 22.3207 and Administrative Regulation 25.60; and

WHEREAS, three responsive proposals were received and in compliance with City Council Policy No. 300-7 a selection panel determined the proposal of Stearns, Conrad, and Schmidt Consulting Engineers, LLC (SCS) provides the best qualifications and value; and

WHEREAS, the work to be performed under the Agreement includes compliance with all applicable law and permit requirements; operation and maintenance of gas migration and air emissions controls; the supply of Landfill Gas obligated to adjacent cogeneration facilities and North Compressor Station; performance of required sampling, testing, and reporting;

performance of repairs and corrective actions; operation, maintenance, and modifications to the Landfill Gas Collection System; and collection, transport, and disposal of all condensate generated at the facilities; and

WHEREAS, this Agreement is important to the City's operation of Miramar Landfill to provide for proper management of the Landfill Gas Collection System operations and to ensure continuous compliance with federal, state, and local rules and regulatory requirements; 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; 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 approve and execute, for and on behalf of the City, an Agreement with Stearns, Conrad, and Schmidt Consulting Engineers, LLC to provide Landfill Gas Collection System operations, maintenance, and gas supply services for Landfill Gas originating from the Miramar Landfill, in an amount not to exceed \$20,437,107.60 over a period of seven (7) years from Effective Date, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No.

OO- 21400

Section 2. That the Chief Financial Officer is authorized to expend funds in an amount not to exceed \$20,437,107.60 from the Refuse Disposal Enterprise Fund 700039 for Landfill Gas Collection System operations, maintenance, and gas supply services at the Miramar Landfill, contingent upon adoption of the Annual Appropriation Ordinance for applicable fiscal years and the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure in any fiscal year are, or will be, on deposit with the City Treasurer.

Section 3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. 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 5. 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 /s/ Frederick M. Ortlieb  
Frederick M. Ortlieb  
Senior Deputy City Attorney

FMO:cw  
10/20/21  
Or.Dept: Environmental Services Department  
CC No.: N/A  
Doc. No.: 2804885

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting on DEC 07 2021.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 12/17/21  
(date)

[Signature]  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on DEC 07 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 DEC 17 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 [Signature], 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 NOV 16 2021, and on DEC 17 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 [Signature], Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 21400