

ORDINANCE NUMBER O- 21449 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 03 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A FIRST AMENDMENT TO THE CONSULTING AGREEMENT WITH CHRISTIAN MOELLER STUDIO, LLC FOR THE PURE WATER NORTH CITY PUBLIC ART PROJECT (H166774).

WHEREAS, through its Public Art Program, the City of San Diego (City) promotes artistic development and transforms the built environment of the City's public buildings and spaces through the inclusion of public art in capital improvement projects that enrich the everyday lives of San Diego's residents, visitors, and employees; and

WHEREAS, the City entered into an agreement on January 27, 2017, for an amount not to exceed \$975,000 to retain the services of the professional artist Christian Moeller Studio, LLC to provide consulting services for the creation of a site-specific public artwork (Agreement) for the North City Pure Water Facility Capital Improvement Project (Project); and

WHEREAS, Christian Moeller Studio, LLC worked with the City, Project design team, Commission for Arts and Culture and its Public Art Committee, and general public to develop artwork for the facility to be sited adjacent to the main entrance at 4940 Eastgate Mall; and

WHEREAS, the design for the artwork has since been completed, and fabrication started on June 19, 2020; and

WHEREAS, the Project encountered various schedule delays that require delay of the artwork fabrication and installation activities beyond the initial five-year period of the Agreement; and

WHEREAS, completion of the overall project is now anticipated in spring of 2025; and

WHEREAS, under San Diego City 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 of the City of San Diego; and

WHEREAS, with the approval of this action, the First Amendment will extend the term of the Agreement with Christian Moeller Studio, LLC to December 1, 2025, and amend any applicable Exhibits accordingly; and

WHEREAS, an extension of this Agreement is needed to complete artwork fabrication, as well as transportation to, and installation of, the artwork at the site; NOW, THEREFORE,

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

Section 1. That the Mayor, or his designee, is hereby authorized and directed to execute a First Amendment to the Agreement with Christian Moeller Studio, LLC, on file in the Office of the City Clerk as Document No. ~~00-21449~~⁰⁰⁻²¹⁴⁴⁹, to extend the Agreement duration to December 1, 2025, and amend any applicable Exhibits accordingly.

Section 2. 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 3. 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/ Jon D. Dwyer
Jon D. Dwyer
Deputy City Attorney

JDD:sc
03/10/2022
Or.Dept: Comm. for Arts & Culture
Doc. No.: 2914299

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 19 2022.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5/3/22
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 19 2022, 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 MAY 03 2022

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 APR 05 2022, and on MAY 03 2022.

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- 21449