

ORDINANCE NUMBER O- 21818 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 11 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO A CONTRACT WITH REGENTS OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO FOR THE SCRIPPS INSTITUTION OF OCEANOGRAPHY, TO CONTINUE TO EVALUATE ANTHROPOGENIC IMPACTS ON THE SAN DIEGO COASTAL KELP FOREST ECOSYSTEMS AND RELATED ACTIONS.

WHEREAS, the City of San Diego Public Utilities Department (Department) owns and operates the Point Loma Wastewater Treatment Plant (PLWTP); and

WHEREAS, a long-term assessment of San Diego's coastal kelp forests is part of the City's ocean monitoring plan (OMP) and is required to maintain permitting at PLWTP; and

WHEREAS, the Council of the City of San Diego (Council) authorized a contract with Regents of the University of California, San Diego for the Scripps Institution of Oceanography (Contractor) to provide monitoring and assessment services for anthropogenic impacts on coastal kelp forest ecosystems (Contract), by San Diego Resolution R-312550, (July 9, 2019); and

WHEREAS, continued kelp monitoring services are essential to comply with State and Federal regulations associated with wastewater discharge into the Pacific Ocean and maintain permitting at PLWTP; and

WHEREAS, Contractor is uniquely positioned to provide the equipment, expertise, and facilities to evaluate the kelp forests in compliance with the City's OMP which are unavailable through any other single source; and

WHEREAS, staff recommends extending the Contract for an additional five years, and increasing the not to exceed amount by \$4,710,510 with a new total not to exceed amount of \$8,264,631; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by affected third parties and verified by city staff, with the understanding that this information is complete, true, and accurate; 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 City Council; NOW, THEREFORE,

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

1. The First Amendment to the Contract, increasing the not to exceed amount of the Contract by \$4,710,510 for a new total not to exceed amount of \$8,264,631, and extending the term by five years, which once signed by all parties will be on file with the City Clerk as Document No. 00-21818, is approved.


2. The Mayor, or his designee, is authorized to sign and deliver the First Amendment to the Contract.

3. The Chief Financial Officer is authorized to expend an additional amount not to exceed \$4,710,510 from the Metro Sewer Utility Fund 700001 to fulfill the City's obligations under the First Amendment starting in Fiscal Year 2025, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, 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.

4. 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.

5. 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 
Justin Edward Stanek
Deputy City Attorney

JES:cm
April 26, 2024
Or.Dept: Public Utilities Department
Doc. No. 3633030

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 04 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 6/11/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 0 4 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 1 1 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 Kristell Medina, 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 14 2024, and on JUN 1 1 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 Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

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