

RESOLUTION NUMBER R- 302617

DATE OF FINAL PASSAGE MAY 21 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING PALM STREET IMPROVEMENTS AS EMERGENCY PROJECT AND RATIFYING THE AWARD OF CONSTRUCTION CONTRACT.

WHEREAS, failure of an 18 inch corrugated metal pipe storm drain on Palm Street west of the intersection of Fourth Avenue caused a 20' by 40' section of Maple Canyon to collapse;

WHEREAS, the slope failure in Maple Canyon caused physical damage to Palm Street and the parking lot at 2910 Fourth Avenue risking a loss of structural integrity to the building at 2910 Fourth Avenue; and

WHEREAS, the risk of structural failure to the building constituted a threat to the public health, safety and welfare; NOW, THEREFORE,

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

1. That the damage to the storm drain, and consequently, the failure of the slope at the cul-de-sac on Palm Street near 4th Avenue is declared to constitute an emergency within the meaning of the City of San Diego Charter Section 94 and that the repair of the drain and slope was necessary to remediate that emergency.

2. That the award of the contract for the construction of Palm Street Improvements to Cass Construction, Inc. in the amount of \$698,735, is hereby ratified.

BE IT FURTHER RESOLVED, that this activity is exempt from CEQA pursuant to State CEQA Guidelines Section 15269(c).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Peter A. Mesich
Peter A. Mesich
Deputy City Attorney

PAM:cfq
03/28/07
Or.Dept:E&CP
R-2007-934
MMS#4600

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 15 2007.

ELIZABETH S. MALAND
City Clerk

By Mary Zamora
Deputy City Clerk

Approved: 5-21-07
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor