

RESOLUTION NUMBER R- 314439  
DATE OF FINAL PASSAGE NOV 28 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO DETERMINING THAT APPROVAL OF THE  
FIFTH AMENDMENT TO THE SOLE SOURCE AGREEMENT  
#4163 WITH ADS CORPORATION FOR TEMPORARY  
WASTEWATER FLOW MONITORING EQUIPMENT,  
SOFTWARE, AND SERVICES IS CATEGORICALLY  
EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT PURSUANT TO CEQA GUIDELINES  
SECTIONS 15301(B) (EXISTING FACILITIES) AND 15306  
(INFORMATION COLLECTION).

WHEREAS, this action requests authorization and approval of the City Council of the  
City of San Diego (City Council) to execute a Fifth Amendment to the Sole Source #4163  
Agreement with ADS Corporation to provide accurate, reliable, defensible, and timely  
information collection data for sewer revenue billing, performing sewer capacity modeling  
assessments and to install sewage spill detection alarms in existing infrastructure (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code  
section 21000-21189.70.10), section 21084, states that the CEQA Guidelines (California Code of  
Regulations, Title 14, Chapter 3, section 15000 to 15387) shall list those classes of projects  
which have been determined not to have a significant effect on the environment and which shall  
be exempt from CEQA; and

WHEREAS, under that authority, CEQA Guidelines sections 15300-15333 list the  
categorical exemptions promulgated by the California Office of Planning and Research and  
adopted by the Secretary of the California Natural Resources Agency for those classes of  
projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the City's Planning Department has established that the Project is  
categorically exempt from CEQA under CEQA Guidelines section 15301(B) (Existing

Facilities), and categorically exempt from CEQA under CEQA Guidelines section 15306 (Information Collection), and that no exceptions to the exemptions, as set forth in CEQA Guidelines section 15300.2, apply to the Project; and

WHEREAS, the City Council held a duly noticed public meeting, and has considered the potential environmental effects of the Project, and the written and verbal testimony and evidence presented at or before the public hearing, regarding the subject matter of this Resolution; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project will not have a significant effect on the environment under CEQA Guidelines section 15301(B) (Existing Facilities), or under CEQA Guidelines section 15306 (Information Collection), because the Project consists of obtaining accurate, reliable, defensible, and timely information collection data from existing infrastructure for sewer revenue billing, performing sewer capacity modeling assessments and installing sewage spill detection alarms in existing infrastructure, and the Project location adds no new facilities and is not environmentally sensitive; and

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

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

1. That the Project is categorically exempt from CEQA, under CEQA Guidelines sections 15301(B) (Existing Facilities) and 15306 (Information Collection).

2. That the Council of the City of San Diego has determined that an exception to the exemptions as set forth in CEQA Guidelines section 15300.2 would not apply.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Raymond C. Palmucci  
Raymond C. Palmucci  
Deputy City Attorney

RCP:cw  
10/21/22  
Or.Dept: PUD  
CC No. N/A  
Doc. No.: 3106057

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 15 2022

ELIZABETH S. MALAND  
City Clerk

By Krystell Medina  
Deputy City Clerk

Approved: 11/21/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on NOV 15 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOV 28 2022

Date of final passage \_\_\_\_\_.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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 Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

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