

RESOLUTION NUMBER R- 315172

DATE OF FINAL PASSAGE OCT 23 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE USE OF CITY FORCES TO  
COMPLETE CONSTRUCTION OF CIP S-24008, SD EAST OF  
RACHAEL AVE SWD AND APPROPRIATION AND  
EXPENDITURE OF CAPITAL IMPROVEMENTS PROGRAM  
BUDGET FUNDS FOR CITY FORCE RELATED EXPENSES,  
CONSTRUCTION AND RELATED ACTIVITIES.

WHEREAS, failing Corrugated Metal Pipes (CMP) in the City of San Diego (City)  
stormwater collection system are the primary cause of stormwater drainage system failure  
requiring the City to implement costly emergency repairs; and

WHEREAS, the City is committed to repair and replace all CMP to prevent costly  
emergency repairs, major transportation interruptions, and public liability costs; and

WHEREAS, in June 2018, the Office of the City Auditor conducted a performance audit  
of the City's Stormwater Department (Department) and recommended that the Department: (1)  
use City forces to replace CMP more quickly and efficiently; and (2) complete an analysis to  
support plans to optimize the size of the Department's in-house CMP repair crew; and

WHEREAS, in 2019, the Department reviewed existing CMP segments to assess repair  
options for individual pipe segments; and

WHEREAS, Department analysis identified 8.48 miles of CMP out of a total of 32.2  
miles with the appropriate characteristics for in-house repair or replacement by City forces; and

WHEREAS, the Council of the City of San Diego (Council) previously approved a  
second stormwater pipe repair crew by Ordinance Number O-21348 and the Department is  
positioned to perform one mile of CMP replacement per year, in-house by City forces, and to  
fully replace the identified 8.48 miles of CMP thereby necessitating in-house Capital

Improvements Program (CIP) projects to replace the identified CMP; and

WHEREAS, on October 10, 2023, the Council approved the addition of CIP S-24008, SD East of Rachael Ave SWD, to the CIP and authorized an increase to the CIP Budget in CIP S-24008, SD East of Rachael Ave SWD, and appropriation and expenditure of \$2,748,800 to fund preliminary design and planning activities for the SD East of Rachael Ave SWD project; and

WHEREAS, this CIP project is in a location that experiences frequent flooding due to an inadequate and aged drainage system; and

WHEREAS, the requested appropriations will fund the construction of the SD East of Rachael Ave SWD Project located in the Skyline-Paradise Hills Community Plan Area within Council District 4 and bounded by Gables Street to the North, Rachael Avenue to the West, Cumberland Street to the South, and Sea Breeze Drive to the East; and

WHEREAS, the estimated project construction cost per fiscal year is listed below:

<b>WBS</b>	<b>Project Name</b>	<b>Fiscal Year (Construction)</b>	<b>City Force Expenses</b>	<b>Project Cost</b>
S-24008	SD East of Rachael Ave SWD	FY 24	\$12,215,289.12	\$15,269,111.40
S-24008	SD East of Rachael Ave SWD	FY 25	\$8,143,526.08	\$10,179,407.60
S-24008	SD East of Rachael Ave SWD	FY 26 (Post Construction)	\$0.00	\$2,021,600.00
	<b>Total</b>		<b>\$20,358,815.20</b>	<b>\$27,470,119.00</b>

; and

WHEREAS, this in-house CIP project will alleviate flooding and erosion problems through the replacement, abandonment, upgrade, and realignment to the right of way of existing CMP, install a total of 8,215 feet of new Reinforced Concrete Pipes, with 3,442 feet installed in FY24 and 4,773 feet installed in FY25, and install inlets and cleanouts to ensure the installed

pipe systems properly convey stormwater flow and can be properly maintained; and

WHEREAS, funding for the in-house CIP project is currently available in Fund 400881, Debt Funded General Fund CIP, and Fund 400884, General Fund WIFIA Loan - Construction; and

WHEREAS, San Diego Municipal Code section 22.3105 requires Council approval for the use of City forces on a public works project if the cost of using such forces exceeds \$500,000 and the cost of using City forces for this in-house CIP project will exceed this amount; 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 that the Mayor, or his designee, is authorized to use City Forces to complete the construction of CIP S-24008, SD East of Rachael Ave SWD.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego that the Mayor, or his designee, is authorized to expend funds not to exceed \$20,358,815.20 from fund 400881, Debt Funded General Fund CIP, for City Force Work related expenses.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to increase the Capital Improvements Program Budget in CIP S-24008, SD East of Rachael Ave SWD and to appropriate and expend \$24,721,319.00; of which, \$19,859,055.20 is from Fund 400881, Debt

Funded General Fund CIP, and \$4,862,263.80 is from Fund 400884, General Fund WIFIA Loan-Construction, for the purpose of funding construction and post-construction activities.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Jeanne L. MacKinnon  
Deputy City Attorney

JLM:hm  
September 21, 2023  
October 12, 2023 COR.COPY  
Or.Dept: SWD  
CC No. 103205999  
Doc. No. 3444077

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 17 2023.

DIANA J.S. FUENTES  
City Clerk

By   
(Deputy City Clerk)

Approved: 10/25/23  
(date)

  
TODD GLORIA, Mayor

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

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

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

103205999  
CC  
DEPT. NO.: **9913**

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$24,721,319.00

Purpose: Fund balance reservation for CIP S24008 SD East of Rachael Ave SWD project's City Work Force's and construction through completion costs.

Date: 9/28/2023 By: Margarita Medina  
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
	S24008	400881	NOT_RELEVANT_GRANT	330117			2114120013		\$19,859,055.20
	S24008	400884	NOT_RELEVANT_GRANT	330117			2114120013		\$4,862,263.80
TOTAL AMOUNT									\$24,721,319.00

FUND OVERRIDE ☐

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \_\_\_\_\_

Vendor: \_\_\_\_\_

Purpose: \_\_\_\_\_

Date: \_\_\_\_\_ By: Margarita Medina  
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	Internal Order or WBS Element	Original Amount
1									
2									
3									
4									
5									
6									
7									
8									
9									
TOTAL AMOUNT									

OCT 17 2023

Passed by the Council of The City of San Diego on \_\_\_\_\_, 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"/>
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 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"/>

Date of final passage OCT 23 2023

(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)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By *Crystal Medina*, Deputy

Office of the City Clerk, San Diego, California

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