

RESOLUTION NUMBER R- **315816**

DATE OF FINAL PASSAGE OCT 14 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT APPROVAL OF A CONTRACT WITH J.R. FILANC CONSTRUCTION COMPANY, INC., FOR THE PURPOSE OF PROVIDING DESIGN AND CONSTRUCTION SERVICES FOR PUMP STATION 1 IMPROVEMENTS AND MODERNIZATION PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER TITLE 14 CALIFORNIA CODE OF REGULATIONS SECTIONS 15301 AND 15302.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

- A. The Council will consider approval of contract K-24-2220-DB2-3-C with J.R. Filanc Construction Company, Inc., to provide design and construction services for the Pump Station 1 Improvements and Modernization project (Project).
- B. The California Environmental Quality Act (CEQA), California Public Resources Code (Code) sections 21000-21189.3, provides in Code section 21083 that the California Office of Planning and Research will promulgate, and the Secretary of the California Natural Resources Agency will adopt, guidelines for implementation of CEQA. The California Office of Planning and Research promulgated, and the Secretary of the California Natural Resources Agency adopted, the guidelines for implementation of CEQA set forth in Title 14 California Code of Regulations sections 15000 through 15387 (CEQA Guidelines).
- C. Code section 21084 requires the CEQA Guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from the provisions of CEQA. CEQA Guidelines sections 15300 through 15333 list

classes of projects that have been determined not to have a significant effect on the environment and declared to be exempt from preparation of environmental documents under CEQA.

D. The Council has considered the written record related to the Project and all public comments about the potential environmental effects of the Project. The Council, using its independent judgment, has determined that the Project is categorically exempt from the provisions of CEQA under CEQA Guidelines section 15301 (titled “Existing Facilities”) which allows for the minor alteration of existing public structures, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination, such as rehabilitating the wet wells; and Section 15302 (Replacement or Reconstruction) which allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, such as replacement of existing motor starters and liquid rheostats, suction gate valves, and suction pipes.

E. No exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Project.

F. The Office of the City Attorney prepared this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

#### ACTION ITEMS

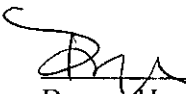
Be it resolved by the Council of the City of San Diego:

1. The Project is categorically exempt from the provisions of CEQA under CEQA Guidelines sections 15301 and 15302.

2. No exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Project.

3. The City Clerk or designee is directed to file a Notice of Exemption in accordance with CEQA with the San Diego County Clerk's Office and the State Clearinghouse in the Office of Planning and Research regarding the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By  \_\_\_\_\_  
Bonny Hsu  
Deputy City Attorney

BH:cw  
September 17, 2024  
CC No.: 3000017064  
Doc. No.: 3797424  
Companion to: R-2025-127

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on OCT 08 2024.

DIANA J.S. FUENTES  
City Clerk

By  \_\_\_\_\_  
Deputy City Clerk

Approved: 10/11/24  
(date)

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

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

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

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

CC 3000017064  
 DEPT. NO.: 2000

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: \_\_\_\_\_

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

Date: \_\_\_\_\_

By: \_\_\_\_\_  
 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
TOTAL AMOUNT									

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: \$15,282,580.00

Vendor: J.R. Filanc Construction Company, Inc.

Purpose: To authorize the expenditure of funds not to exceed \$15,282,580.00 to J.R. Filanc Construction Company, Inc. to Award Phase 1 of Design-Build contract for the purpose of providing design and construction services for the Pump Station 1 Improvements and Modernization project.

Date: August 28, 2024

By: DeJuan Lewis *DeJuan Lewis*  
 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
1	L24000.1	700009	NOT_RELEVANT_GRANT	512160	OTHR-00000000-SU	2000	2000181922	L-24000.1.06.01.01	\$15,282,580.00
TOTAL AMOUNT									\$15,282,580.00

FUND OVERRIDE

Passed by the Council of The City of San Diego on OCT 08 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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"/>

Date of final passage OCT 14 2024.

**(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 Kristen Medina, Deputy

Office of the City Clerk, San Diego, California

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