

ORDINANCE NUMBER O- **22140** (NEW SERIES)

DATE OF FINAL PASSAGE **SEP 02 2026**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE OBLIGATIONS OF THE
SOLE SOURCE CONSTRUCTION CONTRACT
K-21-2029-SLS-2 WITH DUDEK TO EXTEND BEYOND FIVE
YEARS AND AUTHORIZING THE APPROVAL OF CHANGE
ORDER NO. 1 FOR LONG-TERM MAINTENANCE AND
MONITORING SERVICES FOR THE CREST CANYON PARK
EMERGENCY STORM DRAIN REPLACEMENT PROJECT
AND RELATED ACTIONS.

RECITALS

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

A. In or around 2020, the City of San Diego (City) hired a contractor to perform emergency repairs to a 54-inch corrugated metal pipe storm drain located within the Crest Canyon Open Space Park (Storm Drain Project). The collapsed storm drain severely eroded the existing surface and created four sinkholes that threatened nearby properties.

B. Pursuant to the San Diego Municipal Code Land Development Code and Landscape Regulations, the Storm Drain Project is subject to biological monitoring, revegetation plan preparation, plant installation, a 120-day plant establishment period, and a five-year maintenance and monitoring program.

C. On November 5, 2021, the City and Habitat Restoration Science, Inc. (HRS) entered into contract K-21-2029-SLS-2 for the long-term maintenance and monitoring of the Storm Drain Project site as required under the Land Development Code and Landscape Regulations (Agreement). Dudek, HRS's sole shareholder, acquired HRS and assumed the remainder of obligations of the Agreement on October 26, 2024.

D. Due to the condition of the Storm Drain Project site, additional working days for the Agreement are recommended for seeding, trail assessments, and trail repair. The additional

days are necessary because the container plants and hydroseed growth were not successful in certain locations due to the salinity in the soil.

E. The City now desires to extend the Agreement with Dudek to July 4, 2027, and execute Change Order No. 1, which is necessary to amend the scope and add an additional 228 working days to the Agreement. No additional funding is required for this change order; there is no change to the not-to-exceed amount being requested.

F. The Office of the City Attorney prepared this Ordinance 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.

G. The Agreement is subject to San Diego Charter section 99, which provides (subject to certain exceptions) that no contract, agreement, or obligation creating City indebtedness and extending for a period of more than five years may be authorized except by an ordinance adopted by a two-thirds majority of the Council.

ACTION ITEMS

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

Section 1. The Council authorizes the obligations of the Agreement to extend beyond five years to July 4, 2027.

Section 2. The Council approves Change Order No. 1.

Section 3. The Mayor or designee is authorized, on the City's behalf, to sign the Change Order. When signed by both parties, the Change Order will be placed on file in the Office of the City Clerk as Document No. OO- **22140**.

Section 4. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 5. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: HEATHER FERBERT, City Attorney

By 

Dominic Mark Guglielmo
Deputy City Attorney

DMG: lmj
May 14, 2026
Or.Dept: Stormwater
Doc. No. 4478310

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
AUG 25 2026

DIANA J.S. FUENTES
City Clerk

By 

Deputy City Clerk

Approved: 9/2/20

(date)



TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on **August 25, 2026**, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☐	☒	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage SEP 02 2026.

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

AUTHENTICATED BY:

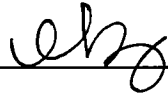
TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , 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

JUL 14 2026

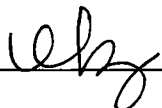
SEP 02 2026

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 , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number **O-22140**