Item 105 Subitem A 11/10/2026

(R-2027-131)
COR. COPY

RESOLUTION NUMBER R- 317018

DATE OF FINAL PASSAGE NOV 13 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT AUTHORIZATION OF CONSTRUCTION CHANGE ORDER NO. 2 TO THE EMERGENCY SOLE SOURCE CONTRACT K-25-2351-EMR-3 FOR THE 3635 7TH AVENUE STORM DRAIN EMERGENCY PROJECT IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER PUBLIC RESOURCES CODE SECTIONS 21080(B)(2) AND 21080(B)(4) AND CEQA GUIDELINES SECTIONS 15269(B) AND15269(C) (EMERGENCY PROJECTS).

RECITALS

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

A. The Council will consider approval of Construction Change Order No. 2 with Cass Arrieta for the 3635 7th Avenue Storm Drain Emergency Repair (Project).

B. The California Environmental Quality Act (CEQA), California Public Resources Code (Code) sections 21000-21189.91, 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 15260 through 15285 list the statutory CEQA exemptions promulgated by the California State Legislature.

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 statutorily exempt from the provisions of CEQA under Code sections 21080(b)(2) and 21080(b)(4), and CEQA Guidelines sections 15269(b) and 15269(c) (Emergency Projects).

E. 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 statutorily exempt from the provisions of CEQA under Code sections 21080(b)(2) and 21080(b)(4), and CEQA Guidelines sections 15269(b) and 15269(c) (Emergency Projects).

2. The City Clerk or designee is directed to file a CEQA Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego and the State Clearinghouse in the Office of Land Use and Climate Innovation.

APPROVED: HEATHER FERBERT, City Attorney

By Nicole M. Denow
Nicole M. Denow
Chief Deputy City Attorney

NMD:nsf
October 26, 2026
November 9, 2026 COR. COPY
Or.Dept: Engineering and Capital Projects
CC No. 3000018846
Doc. No. 4583727_3

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on NOV 10 2026.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: 11/13/26
(date)

_____
TODD GLORIA, Mayor

Vetoed: _____
(date)

_____
TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC DEPT. NO.: 3000018846 / 2114

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: $1,926,000.00

Vendor: Cass Construction Inc.

Purpose: To authorize the expenditure of funds not to exceed $1,926,000.00 to Cass Construction Inc./Cass Arrieta for Contract Change Order #2 within K-25-2351-EMR-3 for the 3635 7th Ave SD Emergency project.

Date: September 24, 2026 By: Naiahd Askor *Naiahd Askor*
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	B25027	400881	NOT_RELEVANT_GRANT	512025	OTHR-00000000-SH	2114	2114110016	B-25027.07.05	$1,704,739.94
2	B25027	400121	NOT_RELEVANT_GRANT	512025	OTHR-00000000-SH	2114	2114110016	B-25027.07.05	$221,260.06
								TOTAL AMOUNT	$1,926,000.00

CC-361 (REV 7-09)

FUND OVERRIDE ☐

CC 3000018846

#105A

Passed by the Council of The City of San Diego on November 10, 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 NOV 13 2026.

(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 _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number **R-317018**