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(R-2009-993) 4/28

RESOLUTION NUMBER R- 304851
DATE OF FINAL PASSAGE MAY 4 2009

A RESOLUTION OF THE CITY OF SAN DIEGO APPROVING
A REVISED FEE SCHEDULE AND REGULATIONS FOR THE
MIRAMAR LANDFILL.

WHEREAS, pursuant to San Diego Municipal Code section 66.0129, the Mayor is authorized to periodically establish and revise disposal fees for the Miramar Landfill, to be ratified by City Council resolution;

WHEREAS, the City Council last approved revisions to the Fee Schedule and Regulations for the Miramar Landfill in late 2007;

WHEREAS, additional revisions to the Fee Schedule and Regulations including, but not limited to, fee increases and fee discounts are currently being proposed; and

WHEREAS, on March 25, 2009, the Natural Resources & Culture Committee approved the proposed revisions to the Fee Schedule and Regulations for the Miramar Landfill; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council approves the revised Fee Schedule and Regulations for the Miramar Landfill, as set forth in Exhibit "D" attached to Report to Natural Resources and Culture Committee No. 09-040 [Report], which includes the following changes:

1. revisions to and clarification of language pertaining to various regulations and the assessment of various fees including, but not limited to, the treatment of residue from City-Certified Mixed Construction and Demolition Processing Facilities, effective July 1, 2009;

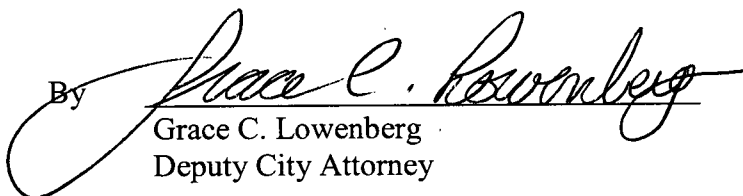
2. a pass-through provision authorizing the periodic adjustment of Standard Disposal Fees [Tipping Fees] to incorporate all new fees and increases to existing fees imposed by federal, state, or local regulatory agencies on waste disposed to the Miramar Landfill, effective July 1, 2009;

3. an increase of \$2.00 per ton in the Tipping Fee for all waste disposed to the Miramar Landfill, effective July 1, 2009; and

4. a discount of \$5.00 per ton from the "Government" Tipping Fee for waste delivered to Miramar Landfill by City Forces, as described in the Report, effective retroactive to January 1, 2009; all as described in more detail in Exhibit "D" to the Report.

BE IT FURTHER RESOLVED, that the revisions and clarifications to language in the Fee Schedule and Regulations are not a "project," and therefore not subject to the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines sections 15060(c)(3) and 15378(b)(2) and (5) because the activity is an organizational and/or administrative activity of government of a policy making nature and one that will not result in direct or indirect physical changes in the environment. The fee adjustments are statutorily exempt from CEQA pursuant to CEQA guidelines section 15273(a)(1) because they are for the purpose of meeting operating expenses.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Grace C. Lowenberg
Deputy City Attorney

GCL:mb
03/27/09
Cert.No:N/A
Or.Dept:ESD
R-2009-993

I hereby certify that the foregoing Resolution was passed by the Council of the City of Diego,
at its meeting of APR 28 2009.

ELIZABETH S. MALAND, City Clerk

By *Mary Zumaya*
Deputy City Clerk

Approved: 5-4-09
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor