

Item 102 May 14, 2013

(R-2013-637)

Sub item B

RESOLUTION NUMBER R- 308152

DATE OF FINAL PASSAGE MAY 24 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE CONTRACT WITH BREWER LAWN MAINTENANCE, INC. AND RELATED EXPENDITURES FOR LANDSCAPE MAINTENANCE SERVICES WITHIN THE OCEAN VIEW HILLS MAINTENANCE ASSESSMENT DISTRICT, REMINGTON HILLS MAINTENANCE ASSESSMENT DISTRICT, AND ROBINHOOD RIDGE MAINTENANCE ASSESSMENT DISTRICT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301.

WHEREAS, the City of San Diego's Park and Recreation Department, Open Space Division, currently administers 49 of the 56 Maintenance Assessment Districts located throughout the City, including the Ocean View Hills Maintenance Assessment District, Remington Hills Maintenance Assessment District, and Robinhood Ridge Maintenance Assessment District (collectively, "the Districts"); and

WHEREAS, the Districts maintain landscape and hardscape medians, parkways, and undeveloped open space; and

WHEREAS, all landscape maintenance activities in the Districts are provided by a landscape contractor; and

WHEREAS, following a competitive selection and procurement process, the City selected Brewer Lawn Maintenance, Inc. as the lowest responsible bidder and City Council authorized a contract with Brewer Lawn Maintenance, Inc for landscape maintenance activities within the Districts ("Project"); and

WHEREAS, the California Environmental Quality Act (“CEQA”) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) shall list those classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, pursuant to that authority, CEQA Guidelines sections 15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research and adopted by the Secretary of the California Natural Resources Agency for those classes of Projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Development Services Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 and that no exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Project; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects of the Project; and

WHEREAS, on May 14, 2013, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

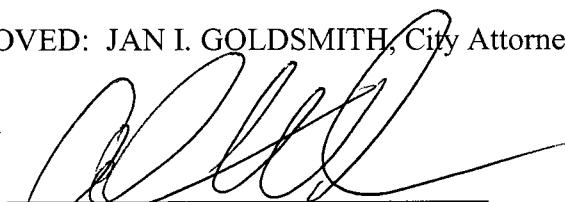
WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project will not have a significant effect on the environment because the landscape maintenance activities in the Districts merely includes care and cleaning of existing street medians, parkway landscaping, sidewalks, curbs and gutters, landscaped slopes, greenbelts, and open space areas; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego has determined that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

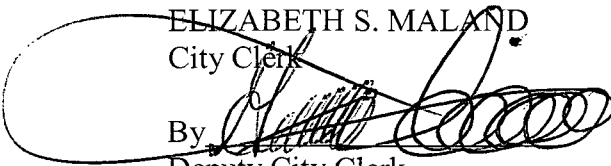


Adam R. Wander  
Deputy City Attorney

AW:mm  
April 30, 2013  
Or.Dept: Park & Rec. Dept.  
Doc. No. 554886

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 14 2013.

ELIZABETH S. MALAND  
City Clerk



By  
Deputy City Clerk

Approved:

5/24/13  
(date)

Bob Filner  
BOB FILNER, Mayor

Vetoed:

\_\_\_\_\_  
(date)

\_\_\_\_\_  
BOB FILNER, Mayor

Passed by the Council of The City of San Diego on MAY 14 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 (Vacant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 24 2013

AUTHENTICATED BY:

BOB FILNER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 308152