

RESOLUTION NUMBER R- 310412

DATE OF FINAL PASSAGE MAY 27 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE AUTHORIZATION TO AWARD A CONTRACT WITH VULCAN MATERIALS COMPANY TO PROVIDE A DISPOSAL SITE FOR EXCAVATED MATERIALS IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15308.

WHEREAS, the City of San Diego (City) Public Utilities Department and Transportation and Storm Water Department excavates and disposes of approximately 45,000 tons of spoil that contains any combination of wet soil, rock, dirt, adobe clay, wet adobe clay, concrete with rebar, asphalt, and asphalt with petromat, and due to the waste diversion requirements imposed by Assembly Bill 939 on Cities and Counties throughout California, and in alignment with the City's existing Construction and Demolition Debris Diversion Deposit Program Ordinance (C&D Ordinance), the Public Utilities Department and Transportation and Storm Water Department are requesting approval to award a contract to Vulcan Material Company to provide a disposal site for the excavated spoil described above (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (California Public Resources Code sections 21000-21177), 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 15308, 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 (City Council) has considered the potential environmental effects of the Project, and

WHEREAS, on **MAY 17 2016** , the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

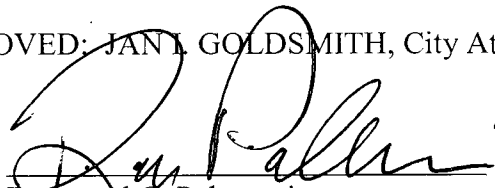
WHEREAS, the City Council, using its independent judgment, has determined that the Project will not have a significant effect on the environment because it is an action authorized by state law and local ordinance to assure maintenance or protection of the environment; NOW, THEREFORE,

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 15308, and that an exception to the exemption does not apply.

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

APPROVED: JANI GOLDSMITH, City Attorney

By


Raymond C. Palmucci
Deputy City Attorney

RCP:mt

March 28, 2016

Or.Dept: Public Utilities

Doc. No.: 1254253

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 17 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5/27/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAY 17 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" 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"/>
Chris Cate	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 27 2016

(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:

KEVIN L. FAULCONER
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- 310412