

RESOLUTION NUMBER R- 310566DATE OF FINAL PASSAGE JUL 14 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE CONTRACT WITH BLUE SKIES LANDSCAPE MAINTENANCE, INC. AND RELATED EXPENDITURES FOR LANDSCAPE MAINTENANCE, IMPROVEMENTS, AND ACTIVITIES WITHIN THE MIRAMAR RANCH NORTH MAINTENANCE ASSESSMENT DISTRICT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15031.

WHEREAS, the City of San Diego's Park and Recreation Department, Open Space Division, currently administers certain Maintenance Assessment Districts (MADs) located throughout the City, including the Miramar Ranch North Maintenance Assessment District (District); and

WHEREAS, the District was originally formed on November 23, 1987 to provide landscape maintenance, improvements, and activities per Resolution No. R-269792 and in accordance with the written assessment engineer's report (Engineer's Report) prepared as part of District formation; and

WHEREAS, the District was most recently rebaloted on July 23, 2002, per Resolution R-296886, to authorize an increased assessment identified in the updated Engineer's Report, filed in the Office of the City Clerk as Document No. RR-296606; and

WHEREAS, the City issued Invitation to Bid (ITB) No. 10052796-16-M on September 10, 2015, to furnish the District with landscape maintenance, improvements, and activities in accordance with the Engineer's Report, including care and cleaning of street medians, parkway landscaping, sidewalks, curbs, gutters, brow ditches, landscaped slopes, greenbelts, and open space easement areas, providing for special planting projects, minor upgrades, and enhancements

throughout the District, and regular maintenance tasks such as litter removal, sweeping, edging, trimming, weeding, and related functions; and

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

WHEREAS, following a competitive selection and procurement process, the City selected Contractor as the lowest responsible bidder, and the City Council authorized a contract with Contractor for landscape maintenance, improvements, and activities within the District (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 City Council has considered the potential environmental effects of the Project; and

WHEREAS, on June 28, 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 the landscape maintenance activities in the District merely include care and cleaning of street medians, parkway landscaping, sidewalks, curbs, gutters, brow ditches, landscaped slopes, greenbelts, and open space easement areas, providing for special planting projects, minor upgrades, and enhancements throughout the District, and regular maintenance tasks such as litter removal, sweeping, edging, trimming, weeding, and related functions; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. The Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301, and an exception to the exemption does not apply.
2. The Council 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 *Daphne Z. Skogen*
Daphne Z. Skogen
Deputy City Attorney

DZS:dkr
June 15, 2016
Or.Dept:Park & Rec.
Doc. No.: 1306583

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 28 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/13/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 28 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 14 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

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