

#50513 11/15/18

(R-2019-155)
(COR. COPY)

RESOLUTION NUMBER R- 312065
DATE OF FINAL PASSAGE NOV 20 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE EIGHTH AMENDMENT TO THE MIRAMAR LANDFILL RECYCLING CENTER SERVICE CONTRACT/REAL PROPERTY LEASE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301.

WHEREAS, in 2001, the San Diego City Council authorized execution of an agreement with Allan Company to operate the City's recycling center at the Miramar Landfill, which Agreement is on file in the Office of the City Clerk as Document Number RR-295859 (Agreement); and

WHEREAS, pursuant to the Agreement, the City Council by resolution authorized seven previous extensions to the Agreement, the term of which currently ends December 31, 2018; and

WHEREAS, in accordance with the Agreement, the parties wish to extend the Agreement for an eighth time, for a period of four years, from December 31, 2018 to December 31, 2022, and retroactive to January 1, 2018, under the terms and conditions set forth in the Agreement (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 NOV 15 2018, the 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 it involves the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the determination; NOW, THEREFORE,

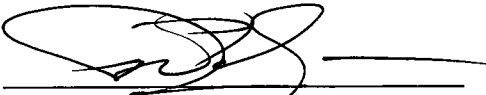
BE IT RESOLVED, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301.

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.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of

Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Davin Widgerow
Deputy City Attorney

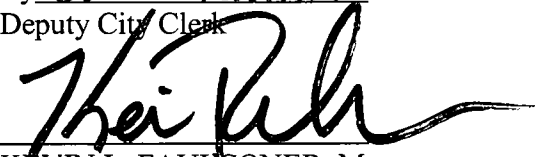
DAW:amc
September 25, 2018
10/15/18 COR.COPY
Or.Dept: Environmental Services
Doc. No.: 1841236

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 15 2018.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk



KEVIN L. FAULCONER, Mayor

Approved: 11/20/18

(date)

Vetoed: _____

(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 15 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 20 2018

(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 Cennie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 312065