

RESOLUTION NUMBER R- 312766DATE OF FINAL PASSAGE DEC 12 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE INCREASE IN THE NOT-TO-EXCEED EXPENDITURE AMOUNT FOR THE AGREEMENT WITH ALLIED WASTE SYSTEMS, INC., DBA REPUBLIC SERVICES OF SAN DIEGO, FOR REFUSE AND RECYCLING COLLECTION SERVICES AT CITY FACILITIES IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15301, 15308, AND 15323.

WHEREAS, on April 1, 2015, the City and Allied Waste Systems, Inc., dba Republic Services of San Diego (Allied), entered into a five-year agreement (Agreement) for Allied to provide refuse and recycling collection services at City facilities in accordance with ITB No. 10048690-15-L, as amended by Addendum A, in an amount not-to-exceed \$3,961,817; and

WHEREAS, recycling and green waste services at City facilities have expanded in order to increase diversion rates and 36 new facilities have been added to the original roster of 221 facilities serviced by this Agreement; and

WHEREAS, on account of the expanded recycling and green waste services and the addition of 36 new facilities to the roster of facilities services by the Agreement, the Agreement's not-to-exceed amount is expected to be expended before the Agreement's expiration date of March 31, 2020; and

WHEREAS, an increase of the Agreement's not-to-exceed amount by \$200,000 from \$3,961,817 to \$4,161,817 is required in order to accommodate the increased services and additional facilities through the remainder of the term of the Agreement to March 31, 2020; and

WHEREAS, the City desires to increase the Agreement's not-to-exceed amount by \$200,000 from \$3,961,817 to \$4,161,817, in order to accommodate the increased services and additional facilities through the remainder of the term of the Agreement to March 31, 2020 (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 Planning Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301, 15308, and 15323, and that no exceptions to the exemptions, as set forth in CEQA Guidelines section 15300.2, apply to the Project; and

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

WHEREAS, 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 pursuant to

CEQA Guidelines Section 15301 (Existing Facilities), which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures or facilities, with negligible or no expansion of the use of the property; Section 15308 (Actions by Regulatory Agencies for the Protection of the Environment), which consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment; and Section 15323 (Normal Operations of Facilities for Public Gatherings), which consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kinds of purpose;


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 Sections 15301, 15308, and 15323.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego has determined that no exceptions to the exemptions as set forth in CEQA Guidelines section 15300.2 apply.

APPROVED: MARA W. ELLIOTT, City Attorney

By

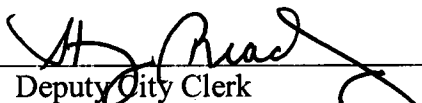


Davin A. Widgerow
Deputy City Attorney

DAW:nja
11/19/19
Or. Dept: Environmental Services
Doc. No.: 2228403

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 10 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/12/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 10 2019, 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"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 12 2019

(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.

(Seal)

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

By *Haye Brady*, Deputy

Office of the City Clerk, San Diego, California
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