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7/19/2022

(R-2022-598)

RESOLUTION NUMBER R- 314223

DATE OF FINAL PASSAGE JUL 21 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE CONSTRUCTION CHANGE ORDER NO.1 FOR SLURRY SEAL GROUP 2122 IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15301(c) AND 15304(h)

WHEREAS, the City of San Diego (City) is considering authorizing the Mayor or his designee to approve Change Order No.1 to VSS International, Inc. for an amount not to exceed \$412,753.43 (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (California 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, under 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(c) (Existing Facilities) and 15304(h) (Minor Alterations to Land) and that no exception to the exemptions, 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 JUL 19 2022, 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 under CEQA Guidelines Section 15301(c) (Existing Facilities) because the Project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, including existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes involving negligible or no expansion of existing or former use; and

WHEREAS, the City Council has determined that the Project is exempt under CEQA Guidelines 15304(h) (Minor Alterations to Land) because it consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes, one example of which is the creation of bicycle lanes on existing rights-of-way; NOW, THEREFORE,

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

1. The City Council has determined that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301(c) (Existing Facilities) and 15304(h) (Minor Alterations to Land).

2. The City Council has determined that an exception to the exemptions as set forth in CEQA Guidelines section 15300.2 does not apply.

3. 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 /s/ Cassandra E. Mougín
Cassandra E. Mougín
Deputy City Attorney

CEM:cc
June 10, 2022
Or.Dept: Transportation
CC No. N/A
Doc. No.: 3016552

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 19 2022.

ELIZABETH S. MALAND
City Clerk

By *Connie Patterson*
Deputy City Clerk

Approved: 7/21/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 19 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 21 2022.

(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: TODD GLORIA
Mayor of The City of San Diego, California.

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 314223