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(R-2023-164) 10/11/22

RESOLUTION NUMBER R- 314379

DATE OF FINAL PASSAGE OCT 18 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE THIRD AMENDMENT TO THE ORIGINAL SOLE SOURCE AGREEMENT (H166798) WITH MOFFATT & NICHOL FOR ADDITIONAL CONSULTANT SERVICES DURING THE DESIGN AND CONSTRUCTION FOR THE OCEAN BEACH PIER REPLACEMENT PROJECT IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15262.

WHEREAS, the Ocean Beach Pier, which opened in July 1966, has exceeded its useful life after 56 years of exposure to the harsh marine environment, wind, waves, and salt-laden air. A full replacement of the Pier is necessary to extend the useful life of the asset for future generations; and

WHEREAS, the California State Legislature, through the California Environmental Quality Act (CEQA) (California Public Resources Code sections 21000-21177), has determined that CEQA does not apply to various types of projects listed therein; and

WHEREAS, CEQA section 21084 states that the CEQA Guidelines 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 15260-15285 list the statutory exemptions promulgated by the California State Legislature; and

WHEREAS, the Development Services Department has established that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15262; and

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

WHEREAS, on OCT 11 2022, 2022, the City Council held a duly noticed public meeting and considered the written record for the Project as well as any 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 work performed by Moffat & Nichol meets the requirements of CEQA Guidelines section 15262, in that it is a project involving only feasibility or planning study for possible future actions (i.e. the Ocean Beach Pier replacement) which the City has not approved, adopted, or funded; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

1. The Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15262.
2. 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.

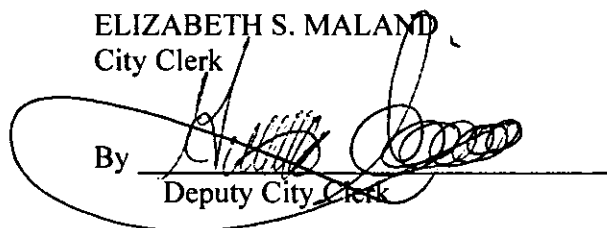
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Ryan P. Gerrity  
Ryan P. Gerrity  
Deputy City Attorney

RPG:cm  
September 26, 2022  
Or.Dept: Strategic Capital Projects Department  
CC No. N/A  
Doc. No. 3098051

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 11 2022.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 10/18/22  
(date)

  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on OCT 11 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 18 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 *Kristell Medina*, Deputy

Office of the City Clerk, San Diego, California

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