

RESOLUTION NUMBER R- **314648**

DATE OF FINAL PASSAGE **MAR 17 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT APPROVAL OF FEE CONSOLIDATION AND OTHER REVISIONS TO THE MIRAMAR LANDFILL AND GREENERY FEE SCHEDULE IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15273.

WHEREAS, the Environmental Services Department is seeking to revise the Fee Schedule for the Miramar Landfill and Greenery, to consolidate various fees, including flat rate fees, special handling fees, and fees for fibrous greens, green material, source-separated food material, and clean wood, from 39 categories down to 20 categories (Project); and

WHEREAS, the California State Legislature, through the California Environmental Quality Act (CEQA), Public Resources Code sections 21000-21189.70.10, has determined that CEQA does not apply to various types of projects listed therein; and

WHEREAS, California Public Resources Code Section 21084 states that CEQA Guidelines (Cal. Code Regs., title 14, sections 5000 to 15387 (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 Planning Department has determined that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines sections 15273; and

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

WHEREAS, the Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

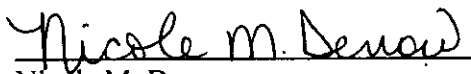
WHEREAS, the Council, using its independent judgment, has determined that the Project is statutorily exempt from CEQA, pursuant to CEQA Guidelines section 15273 (Rates, Tolls, Fares, and Charges) because it involves the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by the City which are for the purpose of: (1) Meeting operating expenses, including employee wage rates and fringe benefits; (2) Purchasing or leasing supplies, equipment, or materials; (3) Meeting financial reserve needs and requirements; (4) Obtaining funds for capital projects, necessary to maintain service within existing service areas; or (5) Obtaining funds necessary to maintain such intra-city transfers as are authorized by City charter; and

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

BE IT RESOLVED, that the Council of the City of San Diego determines that the Project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15273.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Nicole M. Denow
Deputy City Attorney

NMD:jdf
02/28/2023
Or. Dept: ESD
Doc. No.: 3234418

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 13 2023.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 3/17/23
(date)

Todd Gloria
TODD GLORIA Mayor

Vetoed: _____
(date)

TODD GLORIA Mayor

Passed by the Council of The City of San Diego on MAR 13 2023 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"/>
Kent Lee	<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 MAR 17 2023

(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:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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