

RESOLUTION NUMBER R- 314917

DATE OF FINAL PASSAGE MAY 26 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE SECOND AMENDMENT TO THE CONTRACT RESULTING FROM REQUEST FOR PROPOSAL NUMBER 100088534-18-L FOR AS-NEEDED REMEDIATION AND CLEAN-UP SERVICES FROM CITY OF SAN DIEGO WATER MAIN BREAKS AND SEWER BACKUPS WITH LUTH AND TURLEY, INC. IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO STATE CEQA GUIDELINES SECTION 15301.

WHEREAS, the City of San Diego (City) is considering entering into a second amendment to the contract resulting from Request for Proposal Number 100088534-18-L for As-Needed Remediation and Clean-Up Services from City of San Diego Water Main Breaks and Sewer Backups with Luth And Turley, Inc. (Contract) to add two additional one-year options to renew and to increase the not to exceed amount of the Contract by \$10,000,000 (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code sections 21000 to 21189.70.10), Public Resources Code section 21084, states that the California Code of Regulations, Title 14, Chapter 3, sections 15000 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, CEQA Guidelines sections 15300 to 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, CEQA Guidelines section 15301 provides a categorical exemption from CEQA for 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 existing or former use; and

WHEREAS, the City has determined that the Project is categorically exempt from CEQA under 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 (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 and related public comment with respect to the Project; and

WHEREAS, the Council, using its independent judgment, has determined that the Project will not have a significant effect on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 because it involves the repair of existing private structures, facilities, and mechanical equipment, involving negligible or no expansion of use; and


WHEREAS, the Council, using its independent judgment, determined that no exception set forth in CEQA Guidelines section 15300.2 applies to the Project because no cumulative impacts were identified; no significant effects on the environment were identified; none of the land is adjacent to a scenic highway; no historical resources will be affected by the action; and none of the land is identified on a list of hazardous waste sites pursuant to California; 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, by the Council of the City of San Diego, as follows:

1. That the Project will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines section 15301.
2. That no exception to the categorical exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Project.


APPROVED: MARA W. ELLIOTT, City Attorney

By   
Frank Ahn  
Deputy City Attorney

FA:cw  
April 28, 2023  
Or.Dept: Public Utilities  
CC No.: N/A  
Doc. No. 3290668

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 23 2023.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 5/24/23  
(date)

  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on MAY 23 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 MAY 26 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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