

RESOLUTION NUMBER R- 314921

DATE OF FINAL PASSAGE MAY 26 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE PROJECTS TO BE FUNDED BY FISCAL YEAR 2024 ROAD MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) ARE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301(C).

WHEREAS, the Council of the City of San Diego (City) is considering approving the list of projects to be funded by Fiscal Year 2024 Road Maintenance and Rehabilitation Account funds, and authorizing the Mayor to advertise for and award contracts for the projects on the list, specifically, Slurry Seal Groups 2421, 2422, 2423, and 2424 to provide for slurry sealing and related street maintenance (Projects); and

WHEREAS, the California Environmental Quality Act (CEQA) (California Public Resources Code section 21000-21189.70.10), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, section 15000-15387) 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 Projects are categorically exempt from CEQA pursuant to CEQA Guidelines section 15301(c) (Existing Facilities) and that no exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Projects; and

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

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

WHEREAS, the City Council, using its independent judgment, has determined that the Projects will not have a significant effect on the environment because the Projects involve the repair, maintenance, or minor alteration of existing public facilities involving negligible or no expansion of existing or former use; 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. The City Council has determined that the Projects are categorically exempt from CEQA under CEQA Guidelines section 15301(c) (Existing Facilities).
2. The City Council has determined that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

3. The City Clerk is directed to file a Notice of Exemption (NOE) regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Cassandra E. Mouglin  
Deputy City Attorney

CEM:cc  
April 17, 2023  
Or.Dept: Transportation  
CC No. N/A  
Doc. No.: 3296570

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:

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

(Seal)

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  
Resolution Number R- 314921