

RESOLUTION NUMBER R- **315146**DATE OF FINAL PASSAGE **OCT 13 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE FIRST AMENDMENT TO THE AGREEMENT WITH JANUS CORPORATION FOR AS-NEEDED ASBESTOS, LEAD AND MOLD ABATEMENT SERVICES AT CITY FACILITIES IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301.

WHEREAS, the Council of the City of San Diego (Council) is considering authorizing the First Amendment to the Agreement between the City of San Diego and Janus Corporation for as-needed asbestos, lead and mold abatement services at City facilities (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (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.), prepared by the California Office of Planning and Research pursuant to Public Resources Code section 21083, 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 15300 through 15333 list categorical exemptions prepared 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 City Planning Department determined that the proposed Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301(d) (Existing Facilities), as 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, including restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety; and

WHEREAS, the Council considered the potential environmental effects of the Project; and

WHEREAS, on October 10, 2023, the Council held a duly noticed public meeting, and considered the written record and related public comment and evidence concerning the Project; and

WHEREAS, the Council, exercising its independent judgment, has determined that the Project will not result in a significant effect on the environment and is exempt from CEQA pursuant to CEQA Guidelines section 15301(d) because it involves the repair, maintenance, or minor alteration of existing public facilities involving negligible or no expansion of existing or former use, including restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety; and

WHEREAS, the Council, exercising 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 Government Code section 65962.5; 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, that:

1. The First Amendment to the Agreement between the City of San Diego and Janus Corporation for as-needed asbestos, lead and mold abatement services at City facilities is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15301(d) (Existing Facilities).
2. No exception set forth in CEQA Guidelines section 15300.2 applies to the First Amendment to the Agreement between the City of San Diego and Janus Corporation for as-needed asbestos, lead and mold abatement services at City facilities.

APPROVED: MARA W. ELLIOTT, City Attorney

By

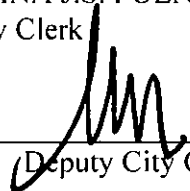
  
Jeanne L. MacKinnon  
Deputy City Attorney

JLM:hm  
September 19, 2023  
October 9, 2023 COR.COPY  
Or.Dept: ESD  
Doc. No. 3361312

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 10 2023.

DIANA J.S. FUENTES  
City Clerk

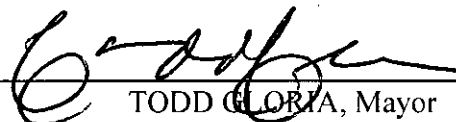
By

  
Deputy City Clerk

Approved:

10/13/23

(date)

  
TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on OCT 10 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 13 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 , Deputy

Office of the City Clerk, San Diego, California

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