

RESOLUTION NUMBER R- **315241**DATE OF FINAL PASSAGE **DEC 11 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT AUTHORIZING THE EXECUTION OF A COOPERATIVE PROCUREMENT CONTRACT WITH WEST COAST ARBORISTS, INC. FOR CITYWIDE MAINTENANCE ASSESSMENT DISTRICT TREE CARE AND MAINTENANCE SERVICES IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15301(h) and 15304(b).

WHEREAS, pursuant to San Diego Municipal Code (SDMC) section 22.3208(c), the City of San Diego (City) may use a cooperative procurement contract awarded by another agency where City's Purchasing Agent certifies in writing that the cooperative procurement contract is in the City's best interests, to the City's economic advantage, and the agency's contract was competitively awarded using a process that complies with the policies, rules, and regulations developed and implemented by the City Manager; and

WHEREAS, the City must provide for certain tree care maintenance services and other related activities (Services) in 45 Maintenance Assessment Districts (MAD) throughout the City, as further identified in Attachment 2 to the staff report in the backup materials; and

WHEREAS, the proposed Services within the MAD all exceed the baseline level of services currently provided by the City; and

WHEREAS, the County of Orange entered into an agreement with West Coast Arborist, Inc., (WCA) for Annual Tree Care and Maintenance, Contract MA-012-22010006 (the WCA Contract); and

WHEREAS, the City's Purchasing Agent certified in writing that the WCA Contract is in the City's best interests, to the City's economic advantage, and the WCA Contract was

competitively awarded using a process that complies with the policies, rules, and regulations developed and implemented by the City Manager; and

WHEREAS, the Parks and Recreation Department wishes to contract with WCA for Annual Tree Care and Maintenance and expend a total of \$9,929,759 over the full term of the Contract, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year; and

WHEREAS, the California State Legislature, through the California Environmental Quality Act (CEQA) and 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 City's Planning Department has established that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15301(h) (Existing Facilities), which exempts work consisting of 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 the maintenance of existing landscaping, native growth, and water supply reservoirs, and CEQA Guidelines section 15304(b) (Minor Alterations to Land) which exempts work consisting of minor public or private alterations in the condition of land, water, and/or vegetation which does

not involve removal of healthy, mature, scenic landscaping, including the replacement of existing conventional landscaping with water efficient or fire-resistant landscaping; and

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

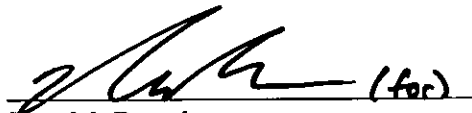
WHEREAS, the Council, using its independent judgment, has determined that the Services will not have a significant effect on the environment because it will include the care and cleaning of street medians, parkway landscaping, sidewalks, curbs and gutters, landscaped slopes, greenbelts, parks, open space and open space easement areas, litter removal, sweeping, edging, tree and shrub trimming, weeding, and related functions. The Services will involve negligible or no expansion of existing landscaping, native growth, and water supply reservoirs, and will not involve removal of healthy, mature, and scenic landscaping; 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 will not result in a significant effect on the environment and is statutorily exempt from CEQA under CEQA Guidelines sections 15301(h) and 15304(b).

APPROVED: MARA W. ELLIOTT, City Attorney

By

A handwritten signature in black ink, appearing to read 'J. Boardman', followed by '(for)' in parentheses.

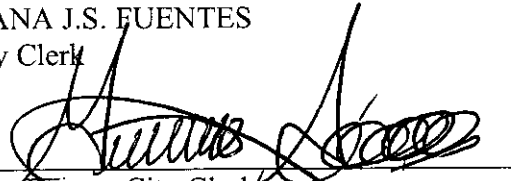
Jane M. Boardman  
Deputy City Attorney

JMB:nja  
11/16/2023  
Or. Dept: Park & Rec  
Doc. No. 3475235

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 05 2023.

DIANA J.S. FUENTES  
City Clerk

By

  
Deputy City Clerk

Approved:

12/11/23  
(date)

  
TODD GLORIA, Mayor

Vetoed:

\_\_\_\_\_  
(date)

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

Passed by the Council of The City of San Diego on DEC 05 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"/>
District 4 - vacant	<input 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 DEC 11 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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