

#629
11/01/22

(R-2023-221)

RESOLUTION NUMBER R- 314406

DATE OF FINAL PASSAGE NOV 14 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE SECOND AMENDMENT TO THE AGREEMENT WITH GHD INC. FOR THE OTAY 1ST AND 2ND PIPELINES WEST OF HIGHLAND AVENUE PROJECT, WHICH EXTENDS THE AGREEMENT THROUGH DECEMBER 31, 2023, IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15302 AND 15304.

WHEREAS, the City of San Diego (City) desires to enter into a second amendment to the agreement with GHD Inc., for the Otay 1st and 2nd Pipelines West of Highland Avenue project further extending the term of the agreement through December 31, 2023; and

WHEREAS, within the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, *et seq.*), Public Resources Code section 21084 states that the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, section 15000, *et seq.*) adopted by the California Office of Planning and Research under 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, 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 that have been determined not to have a significant effect on the environment; and

WHEREAS, CEQA Guidelines section 15302 provides a categorical exemption from CEQA for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; and

WHEREAS, CEQA Guidelines section 15304 provides a categorical exemption from CEQA for minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes; and

WHEREAS, the City has determined that the Project is categorically exempt from CEQA under CEQA Guidelines sections 15302 and 15304; and

WHEREAS, the Council of the City of San Diego (Council) 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, exercising its independent judgment, determined that the Project will not result in a significant effect on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15302 and 15304; 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; 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 sections 15302 and 15304.

2. That no exception to the categorical exemption, set forth in CEQA Guidelines section 15300.2, applies to the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Adam R. Wander
Adam R. Wander
Deputy City Attorney

ARW:cw
10/19/22
Or.Dept: Engineering & Capital Projects
CC No.: N/A
Doc. No.: 3120807
Companion to: O-2023-71

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego at this meeting of NOV 01 2022.

ELIZABETH S. MALAND
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 11/10/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 01 2022, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Joe LaCava | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> |
| Chris Cate | <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 NOV 14 2022

(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) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

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