

331a
02/06/2024

(R-2024-314)
(COR. COPY)

RESOLUTION NUMBER R- **315356**

DATE OF FINAL PASSAGE FEB 14 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT AUTHORIZATION TO SUBMIT USED OIL PAYMENT PROGRAM APPLICATIONS TO CALRECYCLE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15308.

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.) 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 the authority, CEQA Guidelines sections 15300 through 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 City of San Diego (City) desires to submit Used Oil Payment Program applications to CalRecycle to receive and expend payments to support the City's used oil and filter collection and recycling program for Fiscal Year 2024/2025 through and including Fiscal Year 2029/2030 (Project); and

WHEREAS, the Planning Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15308 (Actions by Regulatory

Agencies for Protection of the Environment) 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 for the Project as well as public comment; and

WHEREAS, the Council, using its independent judgment, has determined that the Project is categorically exempt from CEQA, pursuant to CEQA Guidelines section 15308 (Actions by Regulatory Agencies for Protection of the Environment) which exempts actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment; 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 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15308 (Actions by Regulatory Agencies for Protection of the Environment) which exempts actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego has determined that no exception to the exemption as set forth in CEQA Guidelines section 15300.2 applies to the Project.

BE IT FURTHER RESOLVED, that the City Clerk, or designee, is directed to file a Notice of Exemption in accordance with CEQA with the Clerk of the Board of Supervisors for the County of San Diego and the State Clearinghouse in the Office of Planning and Research regarding the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By Nicole M. Denow
Nicole M. Denow
Deputy City Attorney

NMD:nf:jdf
01/23/2024
02/23/2024 COR. COPY
Or. Dept: ESD
Doc. No. 3537707_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 06 2024.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(See attached memo and signature page.)

**Office of
The City Attorney
City of San Diego**

MEMORANDUM

DATE: February 23, 2024
TO: Office of the City Clerk
FROM: Nicole M. Denow, Deputy City Attorney
SUBJECT: Item 331A February 6, 2024, R-2024-314 COR. COPY

Please see the attached corrected resolution R-2024-314. Change was made to the last BE IT FUTURE RESOLVED clause, "Notice of Determination" was replaced with "Notice of Exemption."

NMD:jdf

Doc. No.: 3572038

Enclosure

cc: Gilbert Sanchez, Associate Management Analyst
Diana Fuentes, City Clerk

BE IT FURTHER RESOLVED, that the Council of the City of San Diego has determined that no exception to the exemption as set forth in CEQA Guidelines section 15300.2 applies to the Project.

BE IT FURTHER RESOLVED, that the City Clerk, or designee, is directed to file a Notice of Determination in accordance with CEQA with the Clerk of the Board of Supervisors for the County of San Diego and the State Clearinghouse in the Office of Planning and Research regarding the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By Nicole M. Denow
Nicole M. Denow
Deputy City Attorney

NMD:nf
January 23, 2024
Or. Dept: ESD
Doc. No. 3537707

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 06 2024.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 2/12/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 06 2024, 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"/>
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 FEB 14 2024.

(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 Carrie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 315356