

RESOLUTION NUMBER R- 315364

DATE OF FINAL PASSAGE FEB 23 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT SLURRY SEAL GROUPS 2425 AND 2426 TO BE FUNDED BY REMAINING FY24 ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUNDS ARE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301(C).

WHEREAS, the City of San Diego intends to advertise for and award two new slurry seal contracts, Slurry Seal Group 2425 and Slurry Seal Group 2426, to be funded by remaining FY24 Road Maintenance and Rehabilitation Account (RMRA) and TransNet funds (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (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 Project is categorically exempt from CEQA under 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 Project; and

WHEREAS, the Council of the City of San Diego (City Council) has considered the potential environmental effects of the Project; 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 Project will not have a significant effect on the environment because the Project consists 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 existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities including road grading for the purpose of public safety, and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes; 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. Direct the City Clerk to file a Notice of Exemption (NOE) for Slurry Seal Group 2425 and Slurry Seal Group 2426 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 
Ryan P. Gerrity
Deputy City Attorney

RPG:cw
January 23, 2024
Or.Dept.: Transportation
CC No.: N/A
Doc. No.: 3537659

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 13 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 2/23/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 13 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 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 FEB 23 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 Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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