

RA mtg
4/21/10
RHS
2010

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04508

DATE OF FINAL PASSAGE APR 21 2010

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO CERTIFYING THE SECOND ADDENDUM TO THE 2006 FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CENTRE CITY REDEVELOPMENT PROJECT, THE DOWNTOWN COMMUNITY PLAN, THE CENTRE CITY PLANNED DISTRICT ORDINANCE AND THE TENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR CENTRE CITY REDEVELOPMENT PROJECT WITH RESPECT TO CURRENTLY-PROPOSED AMENDMENTS TO THE DOWNTOWN COMMUNITY PLAN AND THE CENTRE CITY AND MARINA PLANNED DISTRICT ORDINANCES.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary and appropriate to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project [Redevelopment Project]; and

WHEREAS, the Centre City Development Corporation [CCDC], acting on behalf of the Agency, prepared a Draft Environmental Impact Report [Draft EIR] in July 2005 to assess the potential environmental impacts of the Downtown Community Plan, amendments to the Centre City Planned District Ordinance, and Tenth Amendment to the Redevelopment Plan [Prior Planning Activities], and circulated such Draft EIR for a 45-day public review, comment and consultation with citizens, professional disciplines and public agencies pursuant to the California Environmental Quality Act of 1970, California Public Resources Code Section 21000 *et seq.* [CEQA], and state and local guidelines and regulations adopted pursuant thereto; and

WHEREAS, the following documents were prepared pursuant to CEQA and said guidelines and regulations relating to the Prior Planning Activities: (i) the Final Environmental Impact Report [2006 Final EIR], which consists of the Draft EIR as well as the written responses

to comments and concerns raised during the review period; (ii) the Findings of Fact [Findings]; (iii) the Statement of Overriding Considerations; and (iv) the Mitigation Monitoring and Reporting Program [Original MMRP]; and

WHEREAS, pursuant to Resolution No. R-04001 adopted effective March 14, 2006, the Agency, acting as the “lead agency” for purposes of CEQA in connection with the approval of the Prior Planning Activities, certified the 2006 Final EIR (on file with the secretary of the Agency as Document No. D-04001a), and adopted the Findings (Document No. D-04001b), the Statement of Overriding Considerations (Document No. D-04001c), and the Original MMRP (Volume 1.B of the 2006 Final EIR); and

WHEREAS, pursuant to Resolution No. R-301265 adopted effective March 14, 2006, the Council of the City of San Diego [Council], acting as the “responsible agency” for purposes of CEQA, reviewed and considered the 2006 Final EIR; and

WHEREAS, pursuant to Resolution No. R-04193 adopted effective August 3, 2007, the Redevelopment Agency certified the First Addendum to the 2006 Final EIR [First Addendum] in connection with the Council’s approval of the Eleventh Amendment to the Redevelopment Plan and amendments to the Downtown Community Plan and the Centre City Planned District Ordinance; and

WHEREAS, pursuant to Resolution No. R-302931 adopted effective August 3, 2007, the Council reviewed and considered the 2006 Final EIR and the First Addendum in connection with its approval of the Eleventh Amendment to the Redevelopment Plan and amendments to the Downtown Community Plan and the Centre City Planned District Ordinance; and

WHEREAS, in order to carry out the Redevelopment Project, the Agency has prepared, for the Council’s consideration, certain proposed amendments to the Downtown Community

Plan, Centre City Planned District Ordinance, and Marina Planned District Ordinance [Amendments]; and

WHEREAS, in connection with the Amendments, the Agency has prepared certain proposed revisions to the Original MMRP [Set of MMRP Revisions] to improve mitigation for historical, archaeological and paleontological resources; and

WHEREAS, the Set of MMRP Revisions includes minor technical changes to the 2006 Final EIR and the Original MMRP, triggering the requirement for preparation of the proposed Second Addendum to the 2006 Final EIR [Second Addendum] pursuant to CEQA Guidelines Section 15164; and

WHEREAS, the Agency will consider the adoption of the Set of MMRP Revisions pursuant to a separate resolution; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of the City of San Diego, as follows:

1. That the Agency certifies all of the following:
 - a. The Agency has reviewed and considered the Second Addendum, in the form on file with the secretary of the Agency as Document No. D- 04508
 - b. The Second Addendum has been prepared and completed in compliance with CEQA and state and local guidelines and regulations adopted pursuant thereto.
 - c. The Second Addendum represents the Agency's independent judgment and analysis.
2. That the Agency hereby finds and determines all of the following:
 - a. No substantial changes are being proposed through the Amendments which will require major revisions of the 2006 Final EIR due to the involvement of new

significant environmental effects or a substantial increase in the severity of significant environmental effects previously identified in the 2006 Final EIR and the First Addendum.

b. No substantial changes have occurred with respect to the circumstances under which the Amendments are being undertaken which will require major revisions of the 2006 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of significant environmental effects previously identified in the 2006 Final EIR and the First Addendum.

c. No new information of substantial importance, which was not known and could not have been known at the time the 2006 Final EIR was certified as complete, shows any of the following:

(1) The Amendments will have one or more significant environmental effects not discussed in the 2006 Final EIR or the First Addendum;

(2) Significant environmental effects previously examined will be substantially more severe than shown in the 2006 Final EIR or the First Addendum;

(3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Amendments, but the project proponents (i.e., the Agency or the City) decline to adopt the mitigation measure or alternative; or

(4) Mitigation measures or alternatives which are considerably different from those analyzed in the 2006 Final EIR or the First Addendum would substantially reduce one or more significant environmental effects, but the project proponents decline to adopt the mitigation measure or alternative.

d. Based on the above-described findings and determinations, no conditions calling for the preparation of a subsequent EIR, a supplemental EIR or a negative declaration under CEQA Guidelines Section 15162 are present with respect to the Amendments.

e. An explanation of the decision not to prepare a subsequent or supplemental EIR is included in the Second Addendum, and the explanation is supported by substantial evidence.

3. That the City Clerk, or designee, is hereby authorized and directed to cause the filing of a Notice of Determination with respect to the Second Addendum upon the adoption of the Amendments.

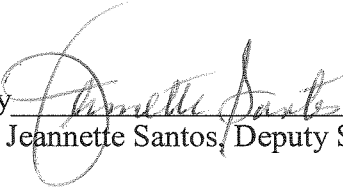
APPROVED: JAN I. GOLDSMITH, General Counsel

By Kevin Reisch
Kevin Reisch
Deputy General Counsel

KR:cw/nda
03/22/10
Or.Dept:CCDC
RA-2010-77
MMS#11778
Comp.: RA-2010-78
R-2010-626
R-2010-677
O-2010-9
O-2010-15

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of APR 13 2010.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 4-21-10
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on APR 13 2010, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DeMaio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


Date of final passage APR 21 2010

AUTHENTICATED BY:

JERRY SANDERS
Executive Director of The City of San Diego, California.

ELIZABETH S. MALAND
Secretary of The City of San Diego, California.

(Seal)

By , Deputy

Office of the Redevelopment Agency, San Diego, California

Resolution Number R- 04508