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5/23/06

(R-2006-959)

RESOLUTION NUMBER R- 301488

DATE OF FINAL PASSAGE MAY 31 2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO MAKING CERTAIN FINDINGS REGARDING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED THIRD AMENDMENT TO THE COLLEGE COMMUNITY REDEVELOPMENT PLAN.

WHEREAS, the Redevelopment Agency of the City of San Diego (the "Agency") is engaged in activities necessary and appropriate to carry out and implement the Redevelopment Plan for the College Community Redevelopment Project (the "Redevelopment Project"); and

WHEREAS, in order to carry out the Redevelopment Project, the Agency is considering approving a Proposed Third Amendment to the Redevelopment Plan for the College Community Redevelopment Project ("Proposed Third Amendment"); and

WHEREAS, pursuant to the California Environmental Quality Act of 1970 ("CEQA"), the College Community Redevelopment Project Final Program Environmental Impact Report ("FEIR") was certified and adopted by the City of San Diego in July 1993; and

WHEREAS, even though redevelopment activities have continued in the College Community Redevelopment Project since the preparation of the FEIR, blight still remains in the College Community Redevelopment Project;

WHEREAS, the FEIR included an evaluation of potential environmental impacts of the College Community Redevelopment Project; and

WHEREAS, the Agency, in connection with its consideration of the approval of the Proposed Third Amendment, has prepared an Initial Study in accordance with Section 15063 of

the CEQA Guidelines to determine if the Proposed Third Amendment may have a significant impact on the environment based upon a comparison of the Proposed Third Amendment with the results and conclusions outlined in the FEIR; and

WHEREAS, the Proposed Third Amendment would continue the revitalization and redevelopment programs which are presently ongoing under the existing Redevelopment Plan for the College Community Redevelopment Project; and

WHEREAS, the continuation of existing plans and programs that would be enabled by the Proposed Third Amendment is required in order to continue to eliminate blight in the College Community Redevelopment Project; and

WHEREAS, in accordance with CEQA Guidelines Section 15180 and 15162, no subsequent EIR or supplement to the FEIR need be prepared for the Proposed Third Amendment; and

WHEREAS, the Proposed Third Amendment would not require major revisions to the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

WHEREAS, no substantial changes have occurred with respect to the circumstances under which the College Community Redevelopment Project, as amended, is undertaken which will require major revisions to the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

WHEREAS, no new information of substantial importance is available, which was not known and could not have been known with the exercise of reasonable diligence at the time the FEIR was certified as complete, shows any of the following:

- a. The College Community Redevelopment Project, as amended, will result in one or more significant effects not previously discussed in the FEIR;

- b. Significant effects, previously examined in the FEIR, will be substantially more severe than previously shown;
- c. Mitigation measures or alternatives, found not to be feasible in the FEIR, would in fact be feasible and substantially reduce one or more significant effects of the College Community Redevelopment Project, as amended, but the College Community Redevelopment Project proponents decline to adopt the mitigation measure or alternative;
- d. Mitigation measures or alternatives, which are considerably different than those analyzed in the FEIR would substantially reduce one or more significant effects on the environment, but the College Community Redevelopment Project proponents decline to adopt the mitigation measure or alternative.

WHEREAS, the City Council, in connection with its consideration of the approval of the Proposed Third Amendment, has reviewed and considered the Initial Study prepared for the Proposed Third Amendment and the FEIR; NOW, THEREFORE,

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

1. The City Council hereby finds and determines that all of the foregoing recitals are true and correct.
2. The City Council hereby approves the Initial Study prepared for the Proposed Third Amendment.
2. The City Council hereby certifies that the Initial Study for the Proposed Third Amendment and the FEIR was presented to the members of the City Council, and that the

information contained therein has been reviewed and considered by the members of the City Council.

3. The City Council hereby further certifies that the findings made with respect to the Initial Study for the Proposed Third Amendment and the FEIR represents the City Council's independent judgment and analysis.

4. The City Council hereby finds and determines that:

- a. Section 21090 of the CEQA Guidelines, which states that all public/private undertakings pursuant to or in furtherance of a redevelopment plan shall be deemed to be a single project, applies to the Proposed Third Amendment.
- b. The Proposed Third Amendment is the same project as that analyzed in the FEIR certified by the City of San Diego in July 1993 and would not result in any new significant impacts not already identified and mitigated for under the FEIR.
- c. As outlined in Section 21166 of CEQA and Section 15162 of the CEQA Guidelines and based on the information and conclusions contained in the Initial Study, no subsequent or supplemental environmental impact report is required for the Proposed Third Amendment due to the following:
 - (1) No substantial changes would occur with respect to the circumstance under which the College Community Redevelopment Project, as amended, is undertaken which will require major revisions of the FEIR due to the involvement of new significant environmental effects,

nor will there be a substantial increase in the severity of previously identified significant effects; and

(2) No new information of substantial importance is available, which was not known and could not have been known with the exercise of reasonable diligence at the time the FEIR was certified as complete as (i) the College Community Redevelopment Project, as amended, will not result in one or more significant effects not previously discussed in the FEIR, (ii) no significant effects previously examined in the FEIR will be substantially more severe than previously shown, (iii) no mitigation measures or alternatives, found not to be feasible in the FEIR, would in fact be feasible and substantially reduce one or more significant effects of the Proposed Third Amendment, and (iv) no mitigation measures or alternatives, which are considerably different than those analyzed in the FEIR would substantially reduce one or more significant effects on the environment, have been noted.

5. No Negative Declaration, Subsequent EIR, or Supplement to the FEIR is necessary or required.


6. The Proposed Third Amendment will have no significant effect on the environment, except as identified and considered in the FEIR for the College Community Redevelopment Project. No new or additional project-specific mitigation measures are required for this activity.

7. Each and all of the findings and determinations contained in this Resolution are based on competent and substantial evidence, both oral and written, contained in the entire record relating to the Proposed Third Amendment, the FEIR, and the Initial Study for the Proposed Third Amendment.

8. The findings and environmental determinations made in connection with the Initial Study for the Proposed Third Amendment are hereby made and adopted.

9. Based upon the preparation of an Initial Study for the Proposed Third Amendment to the Redevelopment Plan, no new effects could occur and no mitigation measures are required; the Proposed Third Amendment is the same project analyzed in the College Community Redevelopment Project Final Environmental Impact Report of 1993; and no new environmental documentation is required per State CEQA Guidelines Sections 15168(c)(2) and CEQA Section 21166.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Eunice C. Chan
Deputy City Attorney

ECC:nda
05/08/06
Or.Dept: Redev.Agency
R-2006-959
MMS#3174
Comp. RA-2006-126
RA-2006-127
O-2006-130

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of ~~MAY 23 2006~~.

ELIZABETH S. MALAND
Secretary

By Manuel E. Ketchum
Secretary

Jeannette Santos, Deputy Redevelopment
Agency

By _____
Deputy Redevelopment Agency

Approved: 5-31-06
(date)

J.S.
JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

MAY 23 2006

Passed by the Council of The City of San Diego on _____, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<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"/>
Toni Atkins	<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"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<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"/>

MAY 31 2006

Date of final passage _____

AUTHENTICATED BY:

(Seal)

JERRY SANDERS
Mayor of The City of San Diego, California.

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

By Debbie Swenson-Cruz, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Resolution Number <u>R</u> 301488</p>
