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(R-2008-250)

RESOLUTION NUMBER R- 303048

10/08/07

DATE OF FINAL PASSAGE OCT 18 2007

A RESOLUTION OF THE CITY COUNCIL ADOPTING FINDINGS IN SUPPORT OF THE STATUTORY EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT RELATED TO THE ADJUSTMENT OF SEWER RATES.

WHEREAS, the Office of the Mayor has prepared and submitted Report to Council No. 07-153, dated October 3, 2007, indicating that two temporary sewer rate increases are needed to satisfy the settlement of a class action lawsuit entitled *Michael Shames v. City of San Diego*, San Diego Superior Court No. GIC 831539, and

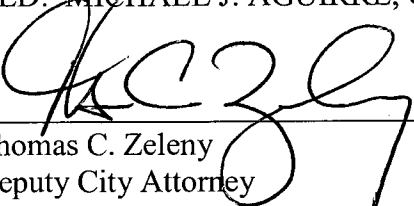
WHEREAS, the \$40 million to be raised by the sewer rate increase will be used solely to provide monthly credits towards the sewer bills of eligible single family residential customers and satisfy other terms of the settlement; NOW, THEREFORE

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

1. That, based on the Report to the City Council, none of the revenue from the sewer rate increases will be used to fund capital projects for the expansion of the sewer system.
2. That the sewer rate increases will allow the City to satisfy the terms of the *Shames* settlement without drawing on funds necessary for the operation of the sewer system or the financial reserves of the Sewer Fund.
3. That, based on the foregoing findings, the Council of the City of San Diego finds that the sewer revenue increases approved pursuant to Resolution Number R- 303048,

are exempt from the California Environmental Quality Act pursuant to Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273(a).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
09/ 27/07
Aud.Cert:N/A
Or.Dept:MWWD
R-2008-250
MWD-8039

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 08 2007.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 10-18-07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor