

ORDINANCE NUMBER O- 13769 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 15 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE A MAINTENANCE AGREEMENT WITH THE CALIFORNIA STATE COASTAL CONSERVANCY AND THE LOS PENASQUITOS LAGOON FOUNDATION.

WHEREAS, the Los Penasquitos Lagoon Foundation has received a grant from the California Coastal Conservancy [Conservancy] and the Regional Water Quality Control Board for the construction of a sediment basin in Los Penasquitos Canyon Preserve, and

WHEREAS, the Conservancy is required, pursuant to Public Resources Code section 31116(c) to obtain an agreement sufficient to protect the public interest in any improvement or development constructed with a grant from the Conservancy; and

WHEREAS, the Conservancy desires to ensure that proper maintenance of the basin will occur, thereby ensuring that the basin's purpose is realized, and

WHEREAS, the City of San Diego is already obligated to remove sediment deposited by the Los Penasquitos, Sorrento, and Carroll creeks at an existing sediment basin downstream from the confluence of these creeks, and

WHEREAS, the construction of a sediment basin in the Los Penasquitos Canyon Preserve has the potential to reduce the current cost of removing the sedimentation from the existing downstream basin in Sorrento Creek, NOW

THEREFORE,

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

Section 1. That the Mayor is hereby authorized and empowered to execute, for and on behalf of said City, an Agreement with the California State Coastal Conservancy and the Los Penasquitos Foundation for the operation and maintenance of a sediment control basin in Los Penasquitos Canyon, under the terms and conditions set forth in the Agreement, on file in the office of the City Clerk as Document No. OO- 19769 .

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

Section 4. That this activity is covered under the Los Penasquitos Lagoon Mitigated Negative Declaration, dated April 12, 2006. That this activity is adequately addressed in the environmental document and that there is no change in circumstance, additional information, or project changes to warrant additional review. Therefore, this activity is not a separate project for purposes of California Environmental Quality Act [CEQA] review pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Shannon Thomas
Shannon Thomas
Deputy City Attorney

ST:sc
11/20/07
06/03/08 Cor. Copy
Aud.Cert.:N/A
Or.Dept:Park&Rec
O-2008-75

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL - 8 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-15-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor