

RESOLUTION NUMBER R- 304140

DATE OF FINAL PASSAGE SEP 16 2008

WHEREAS, the Engineering and Capital Projects Department has been working with the City Heights Neighborhood in the Mid-City Community on a proposed park development, Wightman Street Neighborhood Park, and as a result has developed a General Development Plan; and

WHEREAS, the project site is located at 5024-5050 Wightman Street, east of 50th Street and south of University Avenue within the City Heights Neighborhood of the Mid-City Communities Planning Area; and

WHEREAS, the Park and Recreation Board reviewed and approved the General Development Plan on July 17, 2008; and

WHEREAS, a Mayor-appointed designee considered the recommendations of the Park and Recreation Board and approved the General Development Plan on July 29, 2008, and approved a Mitigated Negative Declaration, prepared pursuant to CEQA section 21000 et. seq on July 29, 2008; and

WHEREAS, the Mitigated Negative Declaration, prepared pursuant to CEQA section 21000 et. seq., was timely appealed on August 4, 2008; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on September 16, 2008, the City Council of the City of San Diego considered the Wightman Street CEQA appeal; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the CEQA appeal is denied.

BE IT FURTHER RESOLVED, that the Mayor appointed designee found that project revisions mitigate potentially significant effects on the environment, previously identified in the Initial Study, to a level below significance, and therefore, that said Mitigated Negative Declaration, hereto and incorporated by reference, was approved on July 29, 2008.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Marianne Greene  
Marianne Greene  
Deputy City Attorney

MR:als  
09/30/08  
Or.Dept:DSD  
R-2009-384

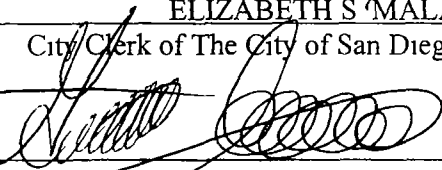
Passed by the Council of The City of San Diego on SEP 16 2008, by the following vote

Council Members	Yeas	Nays	Not Present	Recused
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 16 2008

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

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

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 304140