

RESOLUTION NUMBER R- **306393**

DATE OF FINAL PASSAGE **DEC 07 2010**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
RESCINDING CITY RESOLUTIONS R-301432, 301437, 301433,  
and 301435 FOR PROJECT 6098

WHEREAS on May 9, 2006, the City Council for the City of San Diego (City) adopted and approved Resolutions R-301432, 301437, 301433, and 301435 for Project 6098; and

WHEREAS on May 28, 2010, the Superior Court of the State of California issued a Peremptory Writ, a copy of which is attached hereto as Exhibit "A," commanding Resolutions R-301432, 301437, 301433, and 301435 for Project 6098 to be rescinded;

NOW THEREFORE,

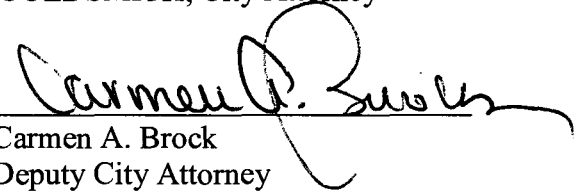
BE IT RESOLVED by the Council of the City of San Diego:

1. City Resolutions R-301432, 301437, 301433, and 301435 for Project 6098 whose date of final passage was May 9, 2006, are hereby rescinded.

APPROVED AS TO FORM:

JAN I. GOLDSMITH, City Attorney

By



Carmen A. Brock  
Deputy City Attorney

CAB:mc  
R-2011-347

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 30 2010.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 12-7-10  
(date)

[Signature]  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor

**EXHIBIT "A"**

R- 306393

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO, CENTRAL DIVISION

TAXPAYERS FOR RESPONSIBLE LAND  
USE, et al.,

Plaintiffs and Petitioners,

v.

CITY OF SAN DIEGO, et al.,

Defendants and Respondents.

HILLEL OF SAN DIEGO, et al.,

Real Parties-in-Interest.

) Case No. GIC867378

) ~~PROPOSED~~ PEREMPTORY WRIT OF  
) MANDATE

) Assigned for All Purposes to:  
) *Hon. Judith F. Hayes*  
) *Department 68*

) Action filed: June 12, 2006

TO RESPONDENTS CITY OF SAN DIEGO AND CITY COUNCIL FOR THE CITY OF SAN  
DIEGO:

Judgment having been entered in this proceeding ordering that a peremptory writ of mandate be  
issued from this Court:

**YOU ARE ORDERED**, immediately on service of this writ, to:

1. Set aside all approvals for and resolutions approving Project 6098, other than Resolution  
R-301436 authorizing the sale of Site 653 <sup>to HILLEL</sup> including: *MT*

A. Resolution R-301432 and R-301437 approving and certifying the mitigated  
negative declaration (MND) for Project 6098;

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- B. Resolution R-301433 approving the Planned Development Permit (No. 158095) and Site Development Permit (No. 158094) for Project 6098;
  - C. Resolution R-301435 approving the vacation of a portion of La Jolla Scenic Drive North, La Jolla Scenic Drive North and a portion of Torrey Pines Road;
2. If Real Party-in-Interest, Hillel of San Diego, elects to proceed with the processing of the Project, the City shall prepare an environmental impact report for the Project.
  3. Make and file a return to this writ within 180 days from the date the writ is served.

The Court retains jurisdiction over Respondents pursuant to Public Resources Code section 21168.9(b). Upon determination by this Court that the actions taken by Respondents comply in all respects with the terms of this Peremptory Writ of Mandate and the California Environmental Quality Act, the Court shall discharge the Writ.

**LET THE FOREGOING WRIT ISSUE.**

Date: **MAY 28 2010**



*B. A. Williams*  
B. A. Williams  
Clerk of the Superior Court  
San Diego County, Central Division