

RESOLUTION NUMBER R- 308447

ITEM # S500

DATE OF FINAL PASSAGE OCT 02 2013

SUB-A

9/17/13

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, AS RESPONSIBLE AGENCY, STATING THAT IT HAS CONSIDERED THE ENVIRONMENTAL EFFECTS OF THE NEW SAN DIEGO CENTRAL COURTHOUSE FOR THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO PROJECT AS SHOWN IN THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADDENDUM TO THE FINAL FEIR PREPARED BY THE STATE OF CALIFORNIA JUDICIAL COUNCIL OF CALIFORNIA ADMINISTRATIVE OFFICE OF THE COURTS, AS THOSE EFFECTS RELATE TO THE LIMITED PORTION OF THE PROJECT AFFECTING CITY RIGHT OF WAY, ADOPTING FINDINGS OF FACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION, MONITORING, AND REPORTING PROGRAM FOR THE NEW SAN DIEGO CENTRAL COURTHOUSE FOR THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO PROJECT.

WHEREAS, on August 31, 2012, as part of its development of a New San Diego Central Courthouse for the Superior Court of California, County of San Diego Project, which is otherwise subject to state permitting authority, the State of California Judicial Council of California Administrative Office of the Courts (AOC) submitted an application to the Development Services Department to construct the limited portion of the project that calls for encroachments into City-controlled public right-of-way (Project No. 294182), which action calls for the City to make a determination as to whether the associated encroachment agreements satisfy the criteria of the applicable Council Policies; and

WHEREAS, the matter was heard at a public hearing on SEP 17 2013, by the City Council of the City of San Diego; and

WHEREAS, the AOC, as lead agency, prepared a Final Environmental Impact Report (SCH No. 2000021015/December 2010) (FEIR) and Addendum to the FEIR (May 23, 2013), which assess the environmental impacts potentially resulting from the Project; and

WHEREAS, on December 13, 2010, the AOC certified the FEIR and adopted Findings, a Statement of Overriding Consideration (SOC), and a Mitigation Monitoring and Reporting Program (MMRP) with respect to the Project, and on May 23, 2013 prepared an Addendum to the FEIR; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that as a responsible agency under the California Environmental Quality Act (CEQA), it reviewed and considered the FEIR and Addendum prepared by the AOC as lead agency, considered the environmental effects of the project as shown in the FEIR and Addendum, and that the information contained therein reflects the independent judgment of the City of San Diego.

BE IT FURTHER RESOLVED, that the Council, pursuant to California Public Resources Code Section 21081 and CEQA Guidelines Sections 15096 and 15091, hereby adopts the Findings made with respect to the Project as set forth in the CEQA Findings of Fact and Statement of Overriding Considerations for the Environmental Impact Report, New San Diego Central Courthouse for the Superior Court of California, County of San Diego Project, on file in the Office of the City Clerk as Document No. RR- 308447 - 1.

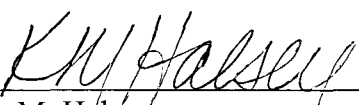
BE IT FURTHER RESOLVED, that the Council, pursuant to California Guidelines Sections 15096 and 15093, hereby adopts the Statement of Overriding Considerations, made with respect to the Project as set forth in the CEQA Findings of Fact and Statement of Overriding Considerations for the FEIR and Addendum to the FEIR, New San Diego Central

Courthouse for the Superior Court of California, County of San Diego Project, on file in the Office of the City Clerk as Document No. RR- 308447-2

BE IT FURTHER RESOLVED, that the Council, pursuant to California Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, hereby adopts the MMRP for the Project, as set forth in the Project Design Features and MMRP for the FEIR and Addendum to the FEIR for the New San Diego Central Courthouse for the Superior Court of California, County of San Diego Project, on file in the Office of the City Clerk as Document No. RR- 308447-3.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to cause the filing of a Notice of Determination with the San Diego County Clerk with respect to the FEIR and Addendum regarding the Project, stating that the City Council, as responsible agency, considered the FEIR and Addendum as prepared by the AOC in its capacity as lead agency.


APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Keely M. Halsey
Deputy City Attorney

KMH:als
9/12/13
Or.Dept:DSD
Doc. No.: 632723

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 17 2013

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved pursuant to Charter section 265(i)

(date)

TODD GLORIA, Council President

Passed by the Council of The City of San Diego on SEP 17 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<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"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 02 2013.


(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim 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

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