

RESOLUTION NUMBER R- 308682

DATE OF FINAL PASSAGE JAN 2 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE FUNDING TO SUPPORT THE COLLEGE AREA COMMUNITY GARDEN IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15304:

WHEREAS, Council Policy 100-06, "City Council Funding of Community Projects, Programs and Services" (CPPS), provides a procedure and uniform requirements for awarding funds to and contracting with non-profit organizations and public agencies for one-time community, social, environmental, cultural or recreational needs which serve a lawful public purpose; and

WHEREAS, Montezuma Economic Development Corp., dba College Neighborhoods, has requested CPPS funding for the College Area Community Garden; and

WHEREAS, the funding to support the College Area Community Garden will be used to install underground utilities for irrigation, purchase a storage shed, and install perimeter fencing and gates (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) shall list those classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, pursuant to that authority, CEQA Guidelines sections 15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research and adopted by the Secretary of the California Natural Resources Agency for those classes of Projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Development Services Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15304 and that no exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Project; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects of the Project, and

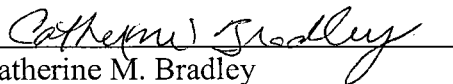
WHEREAS, the City Council has held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project will not have a significant effect on the environment as it consists of minor alterations in the condition of land, water and/or vegetation which does not involve removal of healthy mature scenic trees; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15304 and that an exception to the exemption does not apply.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego has determined that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Catherine M. Bradley  
Deputy City Attorney

CMB:sc  
12/13/13  
Or.Dept:Council District 9  
Doc. No. 689856

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

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 2 2014.

(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:

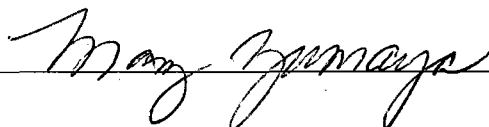
TODD GLORIA, COUNCIL PRESIDENT

as interim Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

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