

RESOLUTION NUMBER R- 309275

DATE OF FINAL PASSAGE NOV 03 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE EXTENSION OF THE CAR SHARE PILOT PROGRAM AND THE AMENDMENT TO THE CONTRACT WITH CAR2GO ARE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, on September 22, 2011, the San Diego City Council (City Council) approved an all-electric car share pilot program (Pilot Program); and

WHEREAS, the City and car2go N.A., LLC (Car2go) entered into the "Agreement for Car2go All-Electric Car Share Program" (Agreement) commencing on October 24, 2011 and having an initial term of two years with the option to extend for one additional year; and

WHEREAS, Car2go offers customers the opportunity to rent electric vehicles by the minute any time of the day within a defined operating area and can be returned anywhere in the defined operating area; and

WHEREAS, on October 25, 2013, the City and Car2go entered into a non-exclusive second "Agreement for Car2go All-Electric Car Share Program" to, among other things, exercise the option to extend the original Agreement for an additional year so that the City may establish a permanent car share program, which agreement is included as Attachment D to the Executive Summary accompanying this Resolution (Extension Agreement); and

WHEREAS, the City has collected and monitored Car2go's car share data and statistics during the three-year period; and

WHEREAS, the City is making progress with the implementation of a permanent car share program, reviewing various alternatives in order to create an open and competitive car share program in San Diego; and

WHEREAS, the City desires to amend the Extension Agreement in order to institute one, final extension of the Pilot Program for a term not to exceed twelve months so that the City may finalize the City's permanent car share program, which amendment shall be in substantially the same form as the one included as Attachment E to the Executive Summary accompanying this Resolution (Amendment); and

WHEREAS, the City will continue to collect and monitored Car2go's car share data and statistics during the twelve-month extension period; and

WHEREAS, the additional finite extension in the Amendment will provide the City ample time to establish a permanent care share program; and

WHEREAS, the California Environmental Quality Act (CEQA), Public Resources Code section 21084, states that the CEQA Guidelines shall list those classes of project 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 for those classes of projects which have been determined not to have a significant effect on the environment; and

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

WHEREAS, the City Council considered the written record for the Project as well as public comment; and

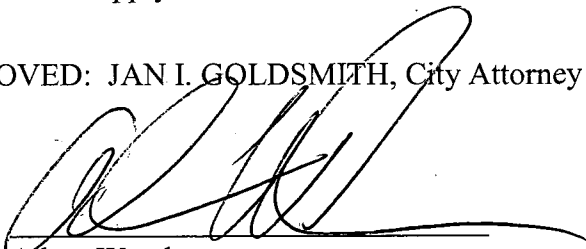
WHEREAS, the City Council, using its independent judgment, has determined that the Project will not have a significant effect on the environment because the extension of the Pilot Program for twelve months, exempting the Pilot Program from certain sections of the San Diego Municipal Code, and amending the Extension Agreement involves negligible or no expansion of the existing use; NOW, THEREFORE,

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

1. The actions of the City Council extending of the Pilot Program for twelve months, exempting the Pilot Program from certain sections of the San Diego Municipal Code, and approving the Amendment to the Extension Agreement are not subject to CEQA pursuant to State CEQA Guidelines Section §15060(c)(2), as they would not result in any direct or indirect physical change in the environment; however, even assuming that these actions are subject to CEQA, they are categorically exempt from CEQA pursuant to CEQA Guidelines 15301 and 15306, and no exception to the exemptions as set forth in CEQA Guidelines 15300.2 has been determined to apply.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Adam Wander
Deputy City Attorney

ARW:mm
10/16/14
10/22/14 Rev. Copy
Or.Dept: Econ Devel
Doc. No. 883024_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 20 2014.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10/31/14
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 20 2014, 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"/>
Ed Harris	<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 NOV 03 2014

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

AUTHENTICATED BY:

KEVIN L. FAULCONER
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- 309275