

RESOLUTION NUMBER R- 310003

DATE OF FINAL PASSAGE OCT 06 2015

ITEM #104
SUB-B
10/6/15

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE RELEASE OF NINE MONUMENT BONDS ASSOCIATED WITH VARIOUS SUBDIVISION MAPS LOCATED THROUGHOUT THE CITY OF SAN DIEGO IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3) (GENERAL RULE).

WHEREAS, this action is requesting approval of the of the release of nine monument bonds associated with various subdivision maps located throughout the City of San Diego; and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21083, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) shall specifically include criteria for public agencies to follow in determining whether or not a proposed project may have a “significant effect on the environment;” and

WHEREAS, pursuant to that authority, CEQA Guidelines section 15061(b)(3) states that a project is exempt from CEQA, if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

WHEREAS, Planning Department staff has established that the project is exempt from CEQA, pursuant to CEQA Guidelines section 15061(b)(3) of the Guidelines for implementation of the California Environmental Quality Act; and

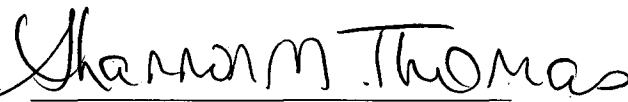
WHEREAS, the Council of the City of San Diego has considered the potential environmental effects of the release of nine monument bonds associated with various subdivision maps located throughout the City of San Diego; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that there is no possibility that the project will have a significant effect on the environment because the project is a request to release bonds associated with property monument markers for the purpose of marking property boundaries and right-of-ways for projects previously approved by the City through Final and Parcel maps; 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; NOW, THEREFORE,

BE IT RESOLVED, that the release of nine monument bonds associated with various subdivision maps located throughout the City of San Diego is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) .

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Shannon M. Thomas
Deputy City Attorney

SMT:als
09/22/2015
Or.Dept: DSD
Doc. No.: 1115219

Passed by the Council of The City of San Diego on OCT 06 2015, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 06 2015.

(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.

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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