

RESOLUTION NUMBER R- **314542**DATE OF FINAL PASSAGE **DEC 20 2022**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT APPROVAL OF THE FISCAL YEAR 2023 CITY COUNCIL ALLOCATIONS OF ARTS, CULTURE AND COMMUNITY FESTIVALS (ACCF) FUNDING AWARDS, PURSUANT TO COUNCIL POLICY 100-23, TO NONPROFIT ORGANIZATIONS WITH EXISTING CONTRACTS WITH THE CITY OF SAN DIEGO'S COMMISSION FOR ARTS AND CULTURE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15301 AND 15323.

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), 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 City of San Diego (City) desires to approve the Fiscal Year 2023 recommended allocations of Arts, Culture and Community Festival (ACCF) funding, pursuant to Council Policy 100-23, in an aggregate amount not to exceed \$236,300 (Attachment 1), to nonprofit organizations with existing contracts with the City's Commission for Arts and Culture for the proposed projects in each nonprofit organization's respective ACCF funding application (Projects); and

WHEREAS, the Planning Department has determined that the Projects are categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301 (Existing Facilities) and 15323 (Normal Operations of Facilities for Public Gathering), and that no exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Projects; and

WHEREAS, the Council of the City of San Diego (Council) has considered the potential environmental effects of the Projects; and

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

WHEREAS, the Council, using its independent judgment, has determined that the Projects are categorically exempt from CEQA, pursuant to CEQA Guidelines section 15301 (Existing Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use, and CEQA Guidelines section 15323 (Normal Operations of Facilities for Public Gatherings) which exempts the normal operations of existing facilities for public gatherings for the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego determines that the Projects are categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 and

section 15323, and that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Justin R. Bargar  
Justin R. Bargar  
Deputy City Attorney

JRB:cw  
11/30/2022  
Or.Dept: Council Administration  
Doc. No. 3153771

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 13 2022

ELIZABETH S. MALAND  
City Clerk

By Kristine Medina  
Deputy City Clerk

Approved: 12/20/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

DEC 13 2022

Passed by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 20 2022

(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:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **314542**