

(R-2023-517)

RESOLUTION NUMBER R- **314731**DATE OF FINAL PASSAGE **APR 24 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DETERMINING THAT APPROVAL OF THE
COMMUNITY PROJECTS, PROGRAMS, AND SERVICES FY
2023 CITY COUNCIL ALLOCATIONS AGREEMENT
BETWEEN THE CITY AND FERN STREET
COMMUNITYARTS, INC., 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 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 authorize the execution of the Community Projects, Programs, and Services FY 2023 City Council Allocations Agreement between the City and Fern Street Community Arts, Inc., for the Fern Street Circus Spring Neighborhood Tour, in an amount not to exceed \$18,500, for the project described under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. RR- **314732** (Project); and

WHEREAS, the Planning Department has determined that the Project is 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 Project; and

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

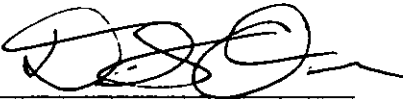
WHEREAS, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

WHEREAS, the City Council, using its independent judgment, has determined that the Project is categorically exempt from CEQA, pursuant to CEQA Guidelines section 15301 (Existing Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alternations of existing public or private structures or facilities involving negligible or no expansion of existing or former uses and CEQA Guidelines section 15323 (Normal Operations of Facilities for Public Gatherings) which exempts the normal operations of existing facilities for public gatherings for which 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 Project is 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 
Daniel S. Orloff
Deputy City Attorney

DOI:jdf
03/24/2023
Or.Dept: Council Administration
CC No.: 3000015354
Doc. No.: 3259316
Companion to: R-2023-516

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 11 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 4/24/23
(date)


TODD GLORIA Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

3000015354
DEPT. NO.: 1103, 1108, 1109

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: Zanah Naji

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE ☐

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$18,500.00

Vendor: Fern Street Community Arts, Inc

Purpose: Used for performer fees, event maintenance, insurance, and production costs for the Fern Street Circus Spring Neighborhood Tour.

Date: December 19, 2022 By: Zanah Naji

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	100000			OTHR-00000000-GG	512059	1103	1103110003		\$3,500.00
2	100000			OTHR-00000000-GG	512059	1108	1108110008		\$5,000.00
3	100000			OTHR-00000000-GG	512059	1109	1109110009		\$10,000.00
TOTAL AMOUNT									\$18,500.00

CC-361 (REV 7-09)

FUND OVERRIDE ☐

Passed by the Council of The City of San Diego on APR 11 2023, 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 APR 24 2023.

(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)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By  For Connie P., Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **314731**