

RESOLUTION NUMBER R- 315148DATE OF FINAL PASSAGE OCT 13 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE ADDITION OF ONE STANDALONE PROJECT TO THE CAPITAL IMPROVEMENTS PROGRAM AND AUTHORIZING FUNDING FOR PRELIMINARY DESIGN AND PLANNING ACTIVITIES IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15262.

WHEREAS, the Council of the City of San Diego (Council) is considering authorizing the addition of a standalone project known as S-24008 SD East of Rachael Ave SWD (project) to the Capital Improvements Program and the appropriation and expenditure of \$2,748,800 of which \$549,760 is from Fund 400881, Debt Funded General Fund CIP, and \$2,199,040 is from Fund 400884, General Fund WIFIA Loan-Construction, to fund preliminary design and planning activities for the 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 15260 through 15285 list the statutory exemptions promulgated by the California State Legislature; and

WHEREAS, the City Planning Department has determined that the project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15262 (Feasibility and Planning Studies); and

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

WHEREAS, the action approving the addition of the project to the Capital Improvements Program and the appropriation of funds to the project and expenditure from the Capital Improvement Program Budget to fund preliminary design and planning activities for the project do not constitute approval of the project pursuant to CEQA Guidelines section 15352(a) and will not foreclose review of alternatives or mitigation measures by the public as part of the future CEQA process; and

WHEREAS, on October 10, 2023, the Council held a duly noticed public meeting and considered the written record for the project as well as public comment concerning the project; and

WHEREAS, the Council, exercising its independent judgment, has determined that the project will not result in a significant effect on the environment and is exempt from CEQA because it meets the requirements of CEQA Guidelines section 15262, in that it is a project involving only feasibility or planning studies for possible future actions, which the City has not approved, adopted, or funded; and

WHEREAS, the Council, exercising its independent judgment, determined that the project will be subject to discretionary review in accordance with the City's Land Development Code and the provisions of CEQA pursuant to section 15004 of the State CEQA Guidelines, which provides direction to lead agencies on the appropriate timing for environmental review; and

WHEREAS, the Council, exercising its independent judgment, determined that no exception set forth in CEQA Guidelines section 15300.2 applies to the project because: no cumulative impacts were identified; no significant effects on the environment were identified;

none of the land is adjacent to a scenic highway; no historical resources will be affected by the action; and none of the land is identified on a list of hazardous waste sites pursuant to California Government Code section 65962.5;

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


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

1. The addition of one standalone project known as S-24008 SD East of Rachael Ave SWD to the Capital Improvements Program and the appropriation and expenditure of funds for preliminary design and planning activities for the project will not result in a significant effect on the environment and is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15262.

2. No exception set forth in CEQA Guidelines section 15300.2 applies to the addition of the standalone project to the Capital Improvements Program and the appropriations and expenditures to fund preliminary design and planning activities for the project.

APPROVED: MARA W. ELLIOTT, City Attorney

By

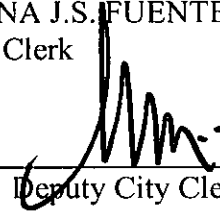

Jeanne MacKinnon
Deputy City Attorney

JM:hm
August 30, 2023
October 5, 2023 COR.COPY
Or.Dept: SWD
Council District[s] 4
Doc. No. 3434755_3

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 10 2023.

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved:

10/13/23

(date)


TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on OCT 10 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 13 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 , Deputy

Office of the City Clerk, San Diego, California

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