

RESOLUTION NUMBER R- **315217**

DATE OF FINAL PASSAGE **NOV 22 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE CITY COUNCIL, AS RESPONSIBLE AGENCY, HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINAL INITIAL STUDY WITH MITIGATED NEGATIVE DECLARATION FOR THE INTERSTATE 805/PALM AVENUE INTERCHANGE IMPROVEMENTS PROJECT (STATE CLEARINGHOUSE NO. 2018101025) AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, BEFORE CONSIDERING THE DISCRETIONARY APPROVAL OF ACTIONS RELATED TO IMPLEMENTATION OF THE PROJECT.

WHEREAS, the Interstate 805/Palm Avenue Interchange Improvements Project (Project) will rehabilitate the aging freeway bridge over Palm Avenue and upgrade traffic operations in the area, including: construction repairs to the bridge approaches and abutments, bridge widening, installation of sidewalk and signals, restriping and signage modifications, and the installation of a Class IV bike facility along Palm Avenue; and

WHEREAS, in November 2020, the City of San Diego (City) approved Cooperative Agreement 11-0723, which is on file in the Office of the City Clerk as Document No. RR-313293-1, with the California Department of Transportation (Caltrans) for the preparation of plans, specifications, and estimates for the Project; and

WHEREAS, the City is currently seeking to accept and expend \$24 million in Bridge Investment Program (BIP) grant funds from the Federal Highway Administration under the United States Department of Transportation for the Project; and

WHEREAS, on November 13, 2019, under the California Environmental Quality Act, set forth at California Public Resources Code sections 21000-21189.70.10 (CEQA), and the CEQA

Guidelines, set forth at the California Code of Regulations, title 14, sections 15000-15387, Caltrans, as the lead agency for the Project, considered and adopted the Final Initial Study with Mitigated Negative Declaration (IS/MND) (State Clearinghouse (SCH) No. 2018101025) for the Project; and

WHEREAS, also on November 13, 2019, Caltrans adopted the Mitigation, Monitoring and Reporting Program (MMRP) prepared for the Final IS/MND; and

WHEREAS, copies of the IS/MND are accessible through a website link provided in the staff report accompanying this Resolution, and all such documents are fully incorporated by reference into this Resolution; and

WHEREAS, the City, acting through the Council, is a responsible agency for the Project, as provided in CEQA Guidelines section 15381, because the Council is considering the discretionary approval of accepting BIP grant funds for the Project and related implementing actions, and when effectuated, this funding will help facilitate the development of the Project; and

WHEREAS, before considering the discretionary approval of the grant funding and related implementing actions, the Council desires to: (a) certify that it has reviewed and considered the IS/MND; and (b) adopt the MMRP pursuant to CEQA Guidelines sections 15050 and 15096; and

WHEREAS, the Council has held a public hearing, and has reviewed and considered the written and verbal testimony and evidence presented at or before the public hearing, regarding the subject matter of this resolution; and

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 Council, acting in its independent judgment, has reviewed and considered the information contained in the IS/MND relevant to the City's approval of discretionary actions within the City's jurisdiction necessary for the future implementation of the Project.
2. Based upon its review and consideration of the IS/MND, the Council, acting in its independent judgment, determines and concludes as follows:
 - a. In adopting the IS/MND, Caltrans has already identified, analyzed, disclosed, and adopted the mitigation measures for the Project;
 - b. The information and analyses contained in the IS/MND are adequate for the City's use as a responsible agency and for the City's consideration of discretionary actions to implement the Project;
 - c. The City-approved discretionary actions to implement the Project are within the scope of the activities described and evaluated in the IS/MND;
 - d. The City has not identified a feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect that the Project would have on the environment; and

- e. Since Caltrans adopted the IS/MND, there have been no substantial changes to the Project and no substantial changes in Project circumstances that would require major revisions to the IS/MND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance regarding the Project that would change the conclusions set forth in the IS/MND.

3. Under California Public Resources Code section 21081.6, the Council concurs with the MMRP adopted by Caltrans on November 13, 2019, and adopts the MMRP to implement the Project as required by the Council to mitigate or avoid significant effects on the environment.

4. The City Clerk is directed to file a subsequent action Notice of Determination with the Clerk of the San Diego County Board of Supervisors following the City's approval of these discretionary actions related to the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Ryan P. Gerrity
Deputy City Attorney

RPG:cw
October 26, 2023
Or.Dept: Transportation
CC No.: 103196035
Doc. No. 3457122
Companion to: R-2024-175

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 14 2023.

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved:

11/21/23

(date)


TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 103196035
DEPT. NO.: 2116

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: \$6,000,000.00

Purpose: To authorize the appropriation of a not to exceed \$6,000,000 for Palm Avenue Interstate 805 Interchange project grant match.

Date: September 14, 2023

By: Travis Brady
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
1	S00869	400174	NOT_RELEVANT_GRANT	330081		9913	9913000011		\$6,000,000.00
TOTAL AMOUNT									\$6,000,000.00

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: _____

Vendor: _____

Purpose: _____

Date: _____

By: _____
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	Internal Order or WBS Element	Original Amount
5									
6									
7									
8									
9									
TOTAL AMOUNT									

Passed by the Council of The City of San Diego on NOV 14 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 NOV 22 2023

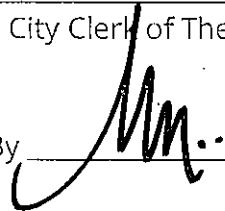
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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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