

RESOLUTION NUMBER R- **315395**
DATE OF FINAL PASSAGE **MAR 19 2024**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE ALLOCATION OF DEVELOPMENT IMPACT FEE FUNDS FOR THE ACQUISITION OF PARK PROPERTY WITHIN THE CHOLLAS CREEK WATERSHED REGIONAL PARK, MISSION TRAILS REGIONAL PARK, OTAY VALLEY REGIONAL PARK, AND SAN DIEGUITO RIVER PARK IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 21080.28.

WHEREAS, on August 13, 2021, the Council of the City of San Diego (Council) approved Resolution R-313687 adopting the San Diego Parks Master Plan and Resolution R-313688 adopting a new Citywide Park Development Impact Fee (DIF); and

WHEREAS, as of November 8, 2023, there is approximately \$15.9 million available in the Citywide Park DIF fund; and

WHEREAS, in addition to the approximately \$15.9 million DIF balance, the City has access to approximately \$363,000 in community-based DIF funds in Golden Hill, Mid-City, La Jolla, Encanto, Otay Mesa/Nestor, Southeastern, and Ocean Beach that are being allocated to park projects as a part of this action; and

WHEREAS, the Parks and Recreation Department wishes to transfer and expend a total of approximately \$16.2 million of DIF allocations (between citywide and community-based) toward 19 park improvement projects, including funds for the acquisition of park property within the Chollas Creek Watershed Regional Park, Mission Trails Regional Park, Otay Valley Regional Park, and San Dieguito River Park (Projects); and

WHEREAS, the California State Legislature, through the California Environmental Quality Act (CEQA), Public Resources Code sections 21000-21177, has determined that CEQA does not apply to various types of projects listed therein; and

WHEREAS, CEQA section 21084 states that the CEQA Guidelines 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 15260-15285 list the statutory exemptions promulgated by the California State Legislature; and

WHEREAS, the City Planning Department has established that the Projects are statutorily exempt from CEQA pursuant to CEQA Guidelines section 21080.28 which exempts the granting or acceptance of funding by a public agency for the purposes of acquiring, selling, or transferring interest in land by a public agency for the preservation of open space or lands for park purposes; and

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

WHEREAS, the Council, using its independent judgment, has determined that the Projects will not have a significant effect on the environment because the DIF funds will be used to acquire land to preserve it for open space or park purposes; 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, that the Council of the City of San Diego determines that the Projects will not result in a significant effect on the environment and are statutorily exempt from CEQA under CEQA Guidelines section 21080.28.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Jane M. Boardman
Deputy City Attorney

JMB:nja
02/06/2024
Or. Dept: Park & Rec
Doc. No. 3553937

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 11 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 3/15/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAR 11 2024, 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"/>
District 4 - vacant	<input 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 MAR 19 2024.

(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 Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

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