

RESOLUTION NUMBER R- 315475

DATE OF FINAL PASSAGE APR 22 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT APPROVAL OF THE FISCAL YEAR 2024 ARTS, CULTURE, AND COMMUNITY FESTIVALS (ACCF) FUNDING ALLOCATIONS, PURSUANT TO COUNCIL POLICY 100-23, RECOMMENDED BY COUNCIL DISTRICT 7 TO CERTAIN NONPROFIT ORGANIZATIONS IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301.

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 approve allocations of Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) recommended by Council District 7 to certain nonprofit organizations, as identified in the Staff Report and supporting materials (Proposed Action); and

WHEREAS, the Planning Department considered the Proposed Action and determined that the recommended allocations identified in the Staff Report as items 1-7, 9-11, and 13-14 are not a "project" pursuant to CEQA Guidelines sections 15378(b)(2) and (4) as the allocated funds

will be used for continuing administrative or maintenance activities and are organizational or administrative activities, none of which will result in the direct or indirect physical change on the environment, and those allocations that involve future special events will be subject to environmental review at a future date in accordance with the City's special event permitting process and CEQA Guidelines section 15004; and

WHEREAS, the Planning Department considered the Proposed Action and determined that the recommended allocations identified in the Staff Report as item 8 (Mission Trails Regional Park Foundation, Inc.) and item 12 (The Benchley-Weinberger Foundation dba Benchley Weinberger Elementary) are categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 (Existing Facilities) and that no exceptions to the exemption, as set forth in CEQA Guidelines section 15300.2, apply; and

WHEREAS, the Council of the City of San Diego (City Council) has considered the potential environmental effects of the Proposed Action, specifically the recommended allocations identified in the Staff Report and supporting materials; and

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

WHEREAS, the City Council, using its independent judgment, has determined that the recommended allocations identified in the Staff Report as item 8 (Mission Trails Regional Park Foundation, Inc.) and item 12 (The Benchley-Weinberger Foundation dba Benchley Weinberger Elementary) are categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 (Existing Facilities), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical

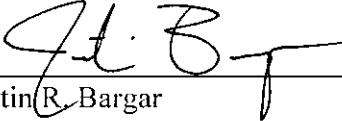
equipment, or topographical features, involving negligible or no expansion of existing or former uses; and

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 Proposed Action to approve the Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) allocations recommended by Council District 7 to certain nonprofit organizations, specifically the recommended allocations identified in the Staff Report as item 8 (Mission Trails Regional Park Foundation, Inc.) and item 12 (The Benchley-Weinberger Foundation dba Benchley Weinberger Elementary), is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 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


Justin R. Bargar
Deputy City Attorney

JRB:cw:cm
03/24/2024
Or.Dept: Council Administration
CC No.: 3000016530
Doc. No.: 3602426
Companion to: R-2024-464

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 09 2024.

DIANA J.S. FUENTES
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 4/22/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: 3000016530
 1414

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: \$39,850.00 Fund: 200205

Purpose: Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$117,850.00. Of those previously budgeted funds, this item allocates \$39,850.00 of Council District 7's ACCF funds to 14 nonprofit organizations pursuant to Council Policy 100-23.

Date: February 23, 2024 By: Leana Chan *Leana Chan*
 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	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$9,500.00
2	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$2,500.00
3	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$2,500.00
4	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$2,000.00
5	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$1,600.00
6	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$1,500.00
7	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$2,500.00
8	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$3,750.00
9	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$1,500.00
10	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$1,500.00
11	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$2,500.00
12	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$3,000.00
13	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$3,000.00
14	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$2,500.00
TOTAL AMOUNT									\$39,850.00

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

FUND OVERRIDE

Passed by the Council of The City of San Diego on APR 09 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"/>
Henry L. Foster III	<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 22 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 Krystel Medina Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>315475</u>