

RESOLUTION NUMBER R- 314043

DATE OF FINAL PASSAGE APR 26 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE ACCEPTANCE AND EXPENDITURE OF GRANT FUNDS FOR THE CALIFORNIA FISCAL YEAR 2022 DIRECT STATE GRANT BUDGET ALLOCATION FOR NEW SIDEWALKS, TRAFFIC CALMING, AND STREETLIGHTS TO SUPPORT FOUR CAPITAL IMPROVEMENT PROJECTS: WOODMAN STREET-CIELO DRIVE TO PAGEL PLACE SIDEWALK, 54TH-MARKET TO SANTA MARGARITA SIDEWALK, ROLANDO PARK V-CALMING DEVICES, AND REO DRIVE STREETLIGHTS IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3).

WHEREAS, this action will authorize the Mayor or designee to take all actions necessary to apply for and secure grant funding from the California Fiscal Year 2022 Direct State Grant Budget Allocation, in an amount not to exceed \$823,000, to support the design and construction phases of the following four capital improvement projects: Woodman Street-Cielo Drive to Pagel Place Sidewalk, 54th-Market to Santa Margarita Sidewalk, Rolando Park V-Calming Devices, and Reo Drive Streetlight; and

WHEREAS, the California Environmental Quality Act (CEQA) (California Public Resources Code section 21000, et seq.), section 21065, states that "Project" means an activity which may cause either a direct physical change in the environment, or reasonably foreseeable indirect physical change in the environment; and

WHEREAS, a project is exempt from CEQA if the project is: (1) exempt by statute; (2) exempt pursuant to a categorical exemption and the application of that categorical exemption is not barred by one of the exceptions set forth in section 15300.2; or (3) the activity is covered

by the Common Sense Exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and

WHEREAS, the Common Sense Exemption is applicable where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, the Planning Department has established that this action is covered by the Common Sense Exemption pursuant to Guidelines section 15061(b)(3), because applying for and entering into a grant agreement to accept, appropriate, and expend grant funding will not, on its own accord, result in a significant effect on the environment; and

WHEREAS, pursuant to CEQA Guidelines section 15352(a), approval of the proposed action does not constitute approval of any future projects for which the grant funding is intended. All future projects that may receive this grant funding will be subject to CEQA review and approval in accordance with the City's Land Development Code and CEQA Guidelines section 15004, which provides direction to lead agencies on the appropriate timing for environmental review. This action will not foreclose review of alternatives or mitigation measures by the public as part of the CEQA review process; and

WHEREAS, on APR 1 2 2022, the City Council held a duly noticed public meeting and considered the written record for the amendments as well as public comment and, using its independent judgment, has determined that the Project will not have a significant effect on the environment; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego, using its independent judgment, has considered the written record and public comment and determines that this action to authorize the application for and allocation of California Fiscal Year 2022 Direct State Grant

Budget Allocation grant funding is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), under the Common Sense Exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Ryan P. Gerrity  
Ryan P. Gerrity  
Deputy City Attorney

RPG:cw  
03/25/22  
Or.Dept: Transportation  
CC No.: N/A  
Doc. No.: 2895836

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 12 2022

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 4/26/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 12 2022, 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"/>
Chris Cate	<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 26 2022.

**(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)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- **314043**