

RESOLUTION NO. 2018-021

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA
CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT
REPORT (SEIR), RELATED TO THE CITY OF LA MESA CLIMATE ACTION
PLAN (CAP)

WHEREAS, the City of La Mesa (City) has prepared a Climate Action Plan (CAP) to implement California Code of Regulations Title 14 (CEQA Guidelines), Section 15183.5, Tiering and Streamlining the Analysis of Greenhouse Gas Emissions, which provides that a lead agency may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level;

WHEREAS, the Climate Action Plan implements City of La Mesa General Plan Environmental Impact Report (EIR) Mitigation Measure GHG-1, to develop and adopt a Climate Action Plan (CAP). The referenced mitigation measure states that the City shall prepare and adopt a plan to reduce GHG emissions (i.e. a CAP) that complies with the requirements of CEQA Guidelines Section 15183.5;

WHEREAS, a Supplemental Environmental Impact Report (SEIR) was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) to fully evaluate the impacts of the CAP;

WHEREAS, the SEIR determined that, with the exception of certain air quality impacts and cumulative impacts, the CAP will have less than significant impacts on the environment with the application of identified mitigation measures;

WHEREAS, the air quality impacts and cumulative impacts cannot be mitigated to a level of insignificance, therefore, a Statement of Overriding Considerations and specific findings were prepared to identify specific overriding economic, social, environmental, and other benefits of the Project that outweigh the significant and unavoidable adverse effects on the environment;

WHEREAS, the City made the Draft SEIR available for public review and comment as required by law in November 2017;

WHEREAS, the City received comment letters concerning the Draft SEIR from several agencies, organizations, and individuals and the comment letters and, pursuant to CEQA Guidelines Section 15088, the City prepared written responses to all comments received on the Draft SEIR during the public comment period which raised environmental issues;

WHEREAS, the City has determined that the comments received on the Draft SEIR did not contain any significant new information within the meaning of CEQA Guidelines Section 15088.5 and therefore recirculation of the Draft SEIR is not required;

WHEREAS, the City has prepared a Final SEIR which contains the information required by CEQA Guidelines Section 15132, including the Draft SEIR and the revisions and additions thereto, technical appendices, public comments and the City's responses to public comments on the Draft SEIR, and which has been filed with the City Clerk;

WHEREAS, pursuant to CEQA Guidelines Sections 15091, 15093 and 15097, the City has prepared Findings of Fact and a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, which have been filed with the City Clerk;

WHEREAS, the Environmental Sustainability Commission of the City held a duly noticed public hearing on January 16, 2018, and invited public testimony in considering the Draft CAP and the related environmental review documentation, and recommended that the Planning Commission recommend City Council adoption of the Draft CAP;

WHEREAS, the Planning Commission of the City held duly noticed public hearings on February 7, 2018, and February 21, 2018, received a staff report, considered public testimony and the written record for the Draft CAP, the SEIR, and related documents, and recommended that the City Council certify the SEIR, adopt a Statement of Overriding Considerations, adopt the Mitigation Monitoring and Reporting Program, and adopt the Draft CAP;

WHEREAS, the City Council of the City of La Mesa held a duly noticed public hearing on March 13, 2018, and invited public testimony in considering the Draft CAP and the related environmental review documentation; and

WHEREAS, having reviewed and considered all testimony and materials made available to the City Council, including but not limited to the Final SEIR, the staff reports and all the testimony and evidence in the record of the proceedings with respect to the Draft CAP, the City Council took the actions hereinafter set forth.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part thereof.
2. Pursuant to CEQA Section 15090, the City Council hereby certifies that:
 - a) The Final SEIR has been completed in compliance with CEQA;
 - b) The Final SEIR was presented to the City Council and the City Council reviewed and considered the information contained in the Final SEIR prior to approving the project; and
 - c) The Final SEIR reflects the City Council's independent judgment and analysis.
3. The City Council further finds and determines that the proposed Climate Action Plan is approved despite the existence of certain significant environmental effects identified in the Final SEIR and, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, the City Council hereby makes and adopts the findings with respect to each significant environmental effect as set forth in the Findings of Fact, appended hereto as Exhibit "A" and made a part hereof by this reference, and declares that it considered the evidence described in connection with each such finding.

4. The City Council further finds and determines that the Climate Action Plan is approved despite the existence of certain unavoidable significant environmental effects identified in the Final SEIR, and, pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093, the City Council hereby makes and adopts the Statement of Overriding Considerations appended hereto as Section 5 of Exhibit "A" and made part hereof by this reference, and finds that such effects are considered acceptable because the benefits of the Climate Action Plan outweigh the unavoidable environmental effects.
5. Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d), the City Council hereby adopts and approves the Mitigation Monitoring and Reporting Program, which is appended hereto as Exhibit "B" and is made a part hereof by this reference, with respect to the significant environmental effects identified in the Final SEIR, and hereby makes and adopts the provisions of the Mitigation Monitoring and Reporting Program as conditions of approval for the Climate Action Plan.
6. Pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15094, the City Clerk shall cause a Notice of Determination to be filed with the Clerk of the County of San Diego with respect to the Final SEIR and the Climate Action Plan.
7. The records of the CEQA proceedings upon which this decision is based shall be kept at the City of La Mesa's offices located at 8130 Allison Avenue, La Mesa, CA 91942 and the custodian of such records shall be the City Clerk.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California held the 13th day of March, 2018, by the following vote, to wit:

AYES: Councilmembers Alessio, Baber, McWhirter, Parent and Mayor Arapostathis

NOES: None

ABSENT: None

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2018-021, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.



MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)