



FOR IMMEDIATE RELEASE: January 30, 2020

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Court Upholds Serra Mesa Community Plan Update

Environmental documents found to be complete, informative, transparent

City Attorney Mara W. Elliott today announced that a court has found that the public was fully informed, and the City followed the law, when the Serra Mesa Community Plan was amended to include a four-lane roadway, with bicycle lanes and pedestrian pathways, between Serra Mesa and Mission Valley.

The Council approved the project in 2017 to enhance navigation between these two communities, and to reduce greenhouse gases consistent with goals set in the City's Climate Action Plan. The adequacy of the Environmental Impact Report was then challenged on numerous grounds by a group called "Save Civita Because Sudberry Won't" (SCBSW), represented by the Briggs Law Corporation.

In his ruling, Superior Court Judge Joel R. Wohlfeil rejected each of SCBSW's arguments. Wohlfeil found that the environmental documents contained "a complete analysis regarding issues of mobility, traffic congestion, navigational efficiency, the City's Climate Action Plan, emergency access, air quality (and) noise."

Wohlfeil also found that the EIR "fostered informed decision making and informed public participation." Noting that every land-use decision requires a balancing of various competing factors, the judge wrote: "The City undertook this balancing through a lawful and transparent process."

"Meritless lawsuits like this one do more than bog down our office -- they impede progress," City Attorney Mara W. Elliott said. "We can now move forward with a project that will ease traffic and make a positive contribution toward our important climate action goals. This is a terrific victory, but it came at quite a cost to taxpayers."

The City was represented by Deputy City Attorneys Lynn Beekman and Ben Syz, with support from the City Attorney's Land Use Litigation Unit.

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