

Item #110 April 9, 2013

(R-2013-547)

Subitem - A

RESOLUTION NUMBER R- 308091

DATE OF FINAL PASSAGE APR 22 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE CONVEYANCE OF FEE TITLE TO TWO CITY-OWNED REMNANT PARCELS TO SAN DIEGO GAS & ELECTRIC IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15312.

WHEREAS, the City of San Diego (City) desires to convey fee title to two City-owned remnant parcels to SDG&E (the Conveyance) in exchange for SDG&E's agreement to forego, settle and waive all claims that it may forever have against the City of San Diego resulting from any impacts caused to SDG&E's electric transmission easement during the City's State Route 56 Freeway project; and

WHEREAS, the California Environmental Quality Act (CEQA), Public Resources Code 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 15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research for those classes of projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Development Services Department has established that the Conveyance is categorically exempt from CEQA pursuant to CEQA Guidelines section 15312; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects of the Conveyance, and

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

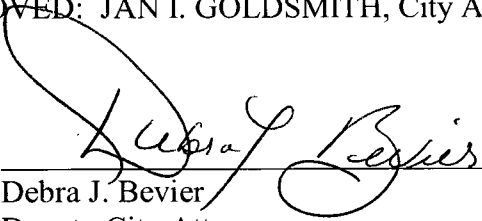
WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Conveyance will not have a significant effect on the environment because the City is merely conveying title to the remnant parcels to the adjacent land owner, the remnant parcels are surplus City property, and the remnant parcels have no statewide, regional or areawide concern; NOW, THEREFORE,

BE IT RESOLVED, that the Conveyance is categorically exempt from CEQA pursuant to CEQA Guidelines section 15312.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego has determined that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

APPROVED: JAN I. GOLDSMITH, City Attorney

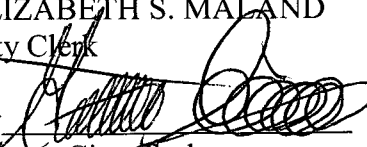
By

  
Debra J. Bevier  
Deputy City Attorney

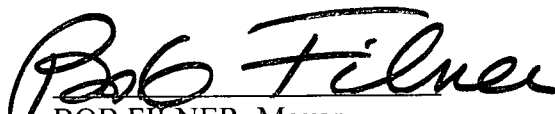
DJB:mm  
March 26, 2013  
Or.Dept: Real Estate Assets Dept.  
Doc. No. 536808

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 09 2013.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4/22/13  
(date)

  
BOB FILNER, Mayor

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

\_\_\_\_\_  
BOB FILNER, Mayor