

Item 101, NOV 5, 2013

(R-2014-225)

Sub Item 'B'

RESOLUTION NUMBER R- 308557

DATE OF FINAL PASSAGE NOV 21 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE LEASE AND POTENTIAL SALE OF CITY-OWNED REAL PROPERTY NEAR LAURISTON AND PAXTON DRIVES, IN SAN DIEGO, CALIFORNIA, PURSUANT TO THAT CERTAIN GROUND LEASE AND PURCHASE AND SALE AGREEMENT WITH THE SAN DIEGO COMMUNITY LAND TRUST FOR THE PURPOSE OF POTENTIAL AFFORDABLE HOUSING DEVELOPMENT, IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301 AND 15312.

WHEREAS, the City of San Diego (City) is considering entering into that certain Ground Lease, which includes an purchase option pursuant to a certain Purchase and Sale Agreement, on file in the Office of the City Clerk as Document No. RR-308556 (Lease), with the San Diego Community Land Trust, a California nonprofit corporation (Land Trust), for that certain City-owned real property consisting of approximately 3.3 acres of land identified as Assessor's Parcel Numbers 630-160-62 and 630-060-24 and located between Lauriston and Paxton Drives in the Otay Mesa-Nestor area (Property); 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 Lease and the potential sale of the Property pursuant thereto (Project) are categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 and 15312, and that no exception to the exemptions, as set forth in CEQA Guidelines section 15300.2, applies to either the Lease or the potential Sale; and

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

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

WHEREAS, the City Council, using its independent judgment, has determined that the Lease will not have a significant effect on the environment because the uses of the Property pursuant to the Lease by the Land Trust will involve negligible and no expansion of existing uses of the Property. The City Council, using its independent judgment, has also determined that the potential sale of the Property pursuant to the Purchase and Sale Agreement included in the Ground Lease (Sale) will not have a significant effect on the environment because the Sale is a surplus government property sale, in accordance with CEQA Guidelines Section 15312. Also, any future development of the Property after the Sale would undergo environmental review at the appropriate time once sufficient details regarding such development are actually available, in accordance with CEQA Guidelines Section 15004; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the lease and potential sale of real property consisting of approximately 3.3 acres of land identified as

Assessor's Parcel Numbers 630-160-62 and 630-060-24 and located near Lauriston and Paxton

Drives in the Otay Mesa-Nestor area, pursuant to that certain Ground Lease and included

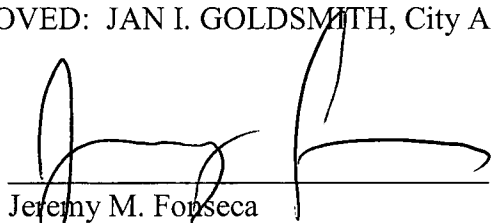
Purchase and Sale Agreement on file in the Office of the City Clerk as Document No ^{RR-}308556

is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301 and 15312,

and that an exception to the exemption does not apply under CEQA Guidelines section 15300.2.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Jeremy M. Fonseca
Deputy City Attorney

JMF:mm

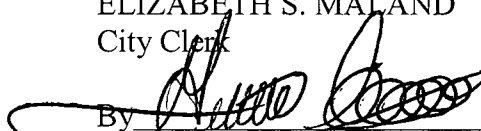
10/14/13

Or.Dept:Real Estate Assets Dept.

Doc. No. 594091_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 05 2013.

ELIZABETH S. MALAND
City Clerk



By
Deputy City Clerk

Approved pursuant to Charter section 265(i):

(date)

TODD GLORIA, Council President

NOV 05 2013

Passed by the Council of The City of San Diego on _____, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 21 2013

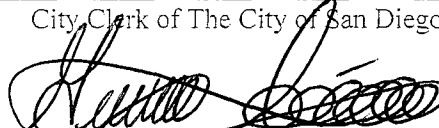
(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>308557</u>