

Item 609, NOV 21st 2013
(R-2014-287) 609B
sub item 'B'

RESOLUTION NUMBER R- 308580

DATE OF FINAL PASSAGE DEC 09 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE GRANT OF AN EASEMENT AT THE CORNER OF 25TH STREET AND COMMERCIAL STREET TO THE METROPOLITAN TRANSIT SYSTEM FOR AN ELECTRICAL SUBSTATION IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080(b)(10) AND AND CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15275(a) AND 15378(c).

WHEREAS, the City of San Diego [City] is considering granting an easement [Grant] to the San Diego Metropolitan Transit System, a California public agency [MTS], in and over an approximately 2,002 square-foot portion of land on the southern perimeter of the City-owned property identified as Assessor Parcel Number 535-670-41 and located at the corner of 25th Street and Commercial Street [Property]. The Property currently is improved with a parking lot used by the San Diego Police Department. The Grant is to be used by MTS for installing and maintaining an electrical substation in support of improvements to the San Diego Trolley system; and

WHEREAS, City Environmental Analysis Section Staff has determined that the actions involved with the installation and maintenance of an electrical substation in support of improvements to the San Diego Trolley system by MTS, over the area proposed to be granted to MTS by City, were adequately addressed in the California Environmental Quality Act (CEQA) Exemption prepared by the San Diego Association of Governments on October 20, 2011, for the Blue and Orange Line Low-Floor Light Rail Vehicle Traction Power Substations Project [MTS

Project] in accordance with CEQA Public Resources Code section 21080(b)(10) and CEQA Guidelines section 15275(a), and the Grant is part of a series of subsequent discretionary actions and, therefore, not considered to be a separate project for purposes of CEQA review as defined in State CEQA Guidelines section 15378(c); and

WHEREAS, Public Resources Code section 21080(b)(10), and CEQA Guidelines section 15275(a), state that CEQA does not apply to projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities; and

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

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

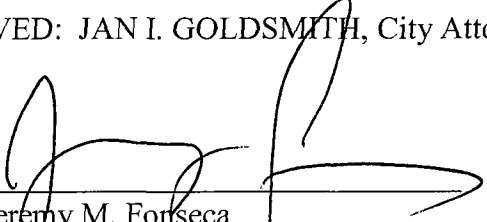
WHEREAS, the City Council, using its independent judgment, has determined that the Grant is an integral and contemplated aspect of the MTS Project to institute, increase, and modernize the mass transit services of the San Diego Trolley system, by facilitating the installation of substation units to improve the existing San Diego Trolley railway; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the grant of an easement pursuant to that certain Grant of Easement to the San Diego Metropolitan Transit System, a California public agency, in and over an approximately 2,002 square-foot portion of land on the southern perimeter of the City-owned property identified as Assessor Parcel Number 535-670-41 and located at the corner of 25th Street and Commercial Street, is statutorily exempt from CEQA pursuant to Public Resources Code section 21080(b)(10) and CEQA Guidelines

section 15275(a), and is part of a series of subsequent discretionary actions and, therefore, is not considered to be a separate project for purposes of CEQA review as defined in CEQA Guidelines section 15378(c).

APPROVED: JAN I. GOLDSMITH, City Attorney

By


Jeremy M. Fonseca
Deputy City Attorney

JMF:mcm
11/13/2013
Or.Dept:Real Estate Assets Dept.
Doc. No.662722_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 21 2013.

ELIZABETH S. MALAND
City Clerk


By
Deputy City Clerk

Approved pursuant to Charter section 265(i):

(date)

TODD GLORIA, Council President

Passed by the Council of The City of San Diego on NOV 21 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 DEC 09 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.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By 

, Deputy

Office of the City Clerk, San Diego, California

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