

Item 101-B 11/18/2014  
(R-2015-246)

RESOLUTION NUMBER R- 309318

DATE OF FINAL PASSAGE NOV 25 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE CONCESSION AGREEMENT WITH NINE DRAGONS, INC., FOR THE OPERATION OF A CAFÉ AT THE CENTRAL LIBRARY IN DOWNTOWN SAN DIEGO IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301.

WHEREAS, the City of San Diego (City) is considering authorizing and directing the execution of the Concession Agreement on file in the Office of the City Clerk as Document No. PP-309317, with Nine Dragons, Inc., a California corporation, for the operation of a food and beverage café at the City's Central Library in Downtown San Diego (Library); and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) 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 and adopted by the Secretary of the California Natural Resources Agency 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 Concession Agreement is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 and

that no exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Concession Agreement; and

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

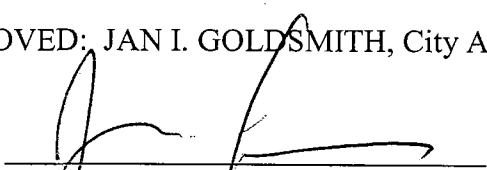
WHEREAS, the City Council held a duly-noticed public meeting and considered the written record for the Concession Agreement as well as public comment; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Concession Agreement will not have a significant effect on the environment because the Concession Agreement entails an interior café and lease operation within the scope of the existing Library facility and will involve negligible and no expansion of existing uses of the Library; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Concession Agreement on file in the Office of the City Clerk as Document No. PC 309317, with Nine Dragons, Inc., a California corporation, to operate a food and beverage café at the City's Central Library in Downtown San Diego, is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 and that an exception to the exemption does not apply under CEQA Guidelines section 15300.2.

APPROVED: JAN I. GOLDSMITH, City Attorney

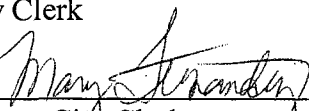
By

  
\_\_\_\_\_  
Jeremy M. Fonseca  
Deputy City Attorney


JMF:meb  
11/3/2014  
Or.Dept: Library  
Doc. No. 895054

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 18 2014.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 11/24/14  
(date)

  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 18 2014, 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"/>
Ed Harris	<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 NOV 25 2014

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

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

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

(Seal)

By *Mary Fernandez*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 309318