

Item 201  
Subitem-c 4/6/15

(R-2015-123)  
Cor. Copy 2

RESOLUTION NUMBER R- 309581

DATE OF FINAL PASSAGE APR 22 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE AMENDED AND RESTATED CITY OF SAN DIEGO PERCENTAGE LEASE BETWEEN THE CITY OF SAN DIEGO AND SYMPHONY ASSET POOL XVI, LLC TO LEASE THE PROPERTY COMMONLY KNOWN AS BELMONT PARK AND POTENTIALLY THE MISSION BEACH ROLLER COASTER AND THE APPROVAL OF THE LEASE SUSPENSION AND TERMINATION AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND SAN DIEGO COASTER COMPANY TO SUSPEND AND HOLD IN ABEYANCE, AND TERMINATE THE LEASE OF THE PROPERTY COMMONLY KNOWN AS THE MISSION BEACH ROLLER COASTER ARE CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO SECTION 15301 OF THE STATE CEQA GUIDELINES.

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 City of San Diego (City) desires to authorize: (1) the Amended and Restated City of San Diego Percentage Lease between the City of San Diego and Symphony

Asset Pool XVI, LLC, on file in the Office of the City Clerk as Document No.

RR- 309579 with Symphony Asset Pool XVI, LLC, a Delaware limited liability company, to lease and operate the property commonly known as Belmont Park, and potentially Mission Beach Roller Coaster, and (2) the Lease Suspension and Termination Agreement between the City of San Diego and San Diego Coaster Company, on file in the Office of the City Clerk as Document No. RR- 309580, to suspend and hold in abeyance, and terminate the lease for the property commonly known as the Mission Beach Roller Coaster (collectively referred to as the "Project"); and

WHEREAS, the Development Services Department has established that the Project 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 Project; and

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

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

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project will not have a significant effect on the environment; NOW

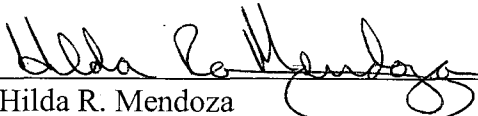
THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego, using its independent judgment, has considered the written record and public comment for the requested authorization, and determines that the Project is categorically exempt from CEQA pursuant to CEQA

Guidelines section 15301 and that an exception to the exemption as set forth in CEQA

Guidelines section 15300.2 does not apply.

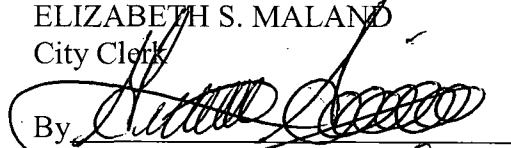
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Hilda R. Mendoza  
Deputy City Attorney

HRM: meb  
8/27/2014  
01/06/15 Cor. Copy  
03/19/15 Cor. Copy 2  
Or.Dept: READ  
Doc. No. 824674\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 06 2015.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4/21/15  
(date)

  
KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on APR 06 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<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"/>
Chris Cate	<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 type="checkbox"/>	<input checked="" 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 APR 22 2015.

(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

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