

Item - 104
Subitem - B 7/28/15
(R-2016-36)

RESOLUTION NUMBER R- 309881

DATE OF FINAL PASSAGE AUG 03 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE SALE TO EHO LA JOLLA, LLC, OF CERTAIN SURPLUS CITY-OWNED REAL PROPERTY ALONG DRAPER AVENUE IN LA JOLLA, IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15312.

WHEREAS, the City of San Diego (City) is considering a Real Estate Purchase and Sale Agreement, on file in the Office of the City Clerk as Document No. 309880, to sell certain surplus City-owned real property located along Draper Avenue between Kline and Silver Streets to EHO La Jolla, LLC, a Delaware limited liability company (Sale); 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 Sale is categorically exempt from CEQA pursuant to CEQA Guidelines section 15312 and that no exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Sale; and

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

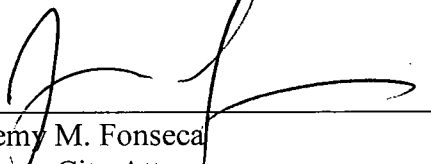
WHEREAS, on JUL 28 2015, the Council of the City of San Diego held a duly-noticed public meeting and considered the written record for the Sale as well as public comment; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Sale will not have a significant effect on the environment because the subject surplus real property has no significant values for wildlife habitat or other environmental purposes, and the foreseeable uses of the property by EHOFF La Jolla, LLC, as landscaping will involve negligible and no expansion of existing uses of the land and will involve minor alterations with negligible and no permanent effects on the environment; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the sale of the .074 acres of City-owned surplus real property along Draper Avenue between Kline and Silver Streets to EHOFF La Jolla, LLC, a Delaware limited liability company, pursuant to that certain Real Estate Purchase and Sale Agreement on file in the Office of the City Clerk as Document No. PP-309880, is categorically exempt from CEQA pursuant to CEQA Guidelines section 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:meb
July 10, 2015
Or.Dept: Real Estate Assets

Doc. No.: 1060399

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 28 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/3/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 28 2015, 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"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 AUG 03 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

Resolution Number R- **309881**