

RESOLUTION NUMBER R- 310655

DATE OF FINAL PASSAGE AUG 03 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO TO AGAIN DETERMINE THAT THE AUTHORIZATION OF THE CITY OF SAN DIEGO PERCENTAGE GROUND LEASE BETWEEN THE CITY OF SAN DIEGO AND SURF CUP SPORTS, LLC, TO LEASE THE PROPERTY COMMONLY KNOWN AS THE POLO FIELDS IS COVERED BY THE GENERAL RULE IN SECTION 15601(B)(2) AND (3) AND IS ALSO CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTIONS 15323, 15301, 15304 AND 15311 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, on July 25, 2016, by Resolution No. R-310619, the City of San Diego (City) authorized the City of San Diego Percentage Ground Lease between the City of San Diego and Surf Cup Sports, LLC, on file in the Office of the City Clerk as Document No. RR-310619, to lease the property commonly known as the Polo Fields (Project); and

WHEREAS, the City Council desires to amend Resolution No. R-310619 to include a statement of market value of the real estate subject to the Lease; and

WHEREAS, the Development Services Department has established that the Project is covered by the General Rule pursuant to section 15601(b)(2) and (3) of the CEQA Guidelines and is also categorically exempt from CEQA pursuant to CEQA Guidelines section 15323, 15301, 15304 and 15311, 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 on July 25, 2016, where the City Council considered the written record for the Project as well as public comment; and on AUG 02 2016, the City Council again held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

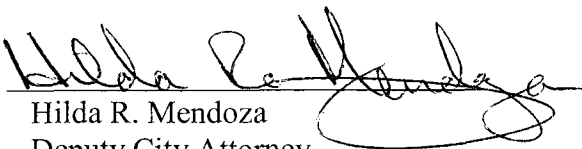
WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project is covered by the General Rule, CEQA Section 15061(b)(2) and (3) in that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and also categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings) which consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose for at least three years and that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility; Section 15301 (Existing Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing or minor alterations of existing public or private structures or facilities involving negligible or no expansion of use; Section 15304 (Minor Alterations to Land) which

consists of minor public or private alterations in the condition of land, water and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry or agricultural purposes; and Section 15311 (Accessory Structures) which consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities including but not limited to: on-premise signs; small parking lots; placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar items in generally the same locations from time to time in publicly owned parks, stadiums, or other facilities designed for public use; 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 again determines that the Project is covered by the General Rule, CEQA Section 15061(b)(2) and (3), and is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15323, 15301, 15304 and 15311, and that an exception to the exemptions as set forth in CEQA Guidelines section 15300.2 does not apply.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Hilda R. Mendoza  
Deputy City Attorney


HRM:als  
07/27/2016  
Or.Dept:READ  
Doc. No. 1328988

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 02 2016.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 8/3/16  
(date)

  
KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on AUG 02 2016, by the following vote:

| Councilmembers  | Yeas                                | Nays                                | Not Present                         | Recused                  |
|-----------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| Sherri Lightner | <input type="checkbox"/>            | <input checked="" 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 2016.

(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 Hernandez*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 310655