

Item 107 10/25/16

(R-2017-189)

SUB item B'

RESOLUTION NUMBER R- 310742

DATE OF FINAL PASSAGE NOV 07 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE SALE OF 15.22 ACRES OF UNIMPROVED REAL PROPERTY LOCATED EAST OF ENCINO AVENUE AND WEST OF SANDMARK AVENUE IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 433-100-31 TO SAN DIEGO GAS AND ELECTRIC COMPANY, THE TERMS OF WHICH WERE NEGOTIATED VIA DIRECT NEGOTIATION; AUTHORIZING THE MAYOR TO EXECUTE ALL AGREEMENTS AND DOCUMENTS NECESSARY TO CONSUMMATE THE SALE; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT AND DEPOSIT THE INDEPENDENT CONSIDERATION, AND TO ACCEPT AND DEPOSIT THE PROCEEDS OF THE SALE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15312.

WHEREAS, the City of San Diego (City) owns 15.22 acres of unimproved real property located east of Encino Avenue and West of Sandmark Avenue, identified as Assessor's Parcel Number 433-100-31 (Property), which City has determined is in excess of City's needs because no City Department has a foreseeable City use for the Property; said Property is being sold to San Diego Gas and Electric Company (SDG&E) pursuant to the terms and conditions of a directly negotiated Purchase and Sale Agreement, which requires the Council of the City of San Diego to approve the sale, authorize the Mayor to execute all necessary documents to complete the sale and authorize the Chief Financial Officer to accept the Independent Consideration and the proceeds of the sale, and deposit said funds accordingly (Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (California Public Resources Code sections 21000-21177), 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 Planning Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15312, Surplus Government Property Sales, 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 (City Council) has considered the potential environmental effects of the Project, and

WHEREAS, on **OCT 25 2016** , 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 City Council, using its independent judgment, has determined that the Project will not have a significant effect on the environment because it is the sale of surplus government property which is not in an area of statewide, regional or area wide concern identified in CEQA Guidelines section 15206(b)(4); NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15312, and that an exception to the exemption does not apply.

BE IT FURTHER RESOLVED, that the City Council has determined 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 Melissa D. Ables
Melissa D. Ables
Deputy City Attorney

MDA:mcm
October 10, 2016
Or.Dept: Real Estate Assets Dept.
Doc. No.: 1372083

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 25 2016.

ELIZABETH S. MALAND
City Clerk

By Sinda Bruin
Deputy City Clerk

Approved: 11/7/16
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 25 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 07 2016

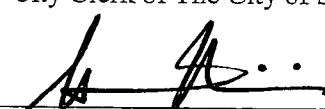
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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 , Deputy

Office of the City Clerk, San Diego, California

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