

RESOLUTION NUMBER R- 310826
DATE OF FINAL PASSAGE DEC 16 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE CITY COUNCIL'S ACTION OF AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACQUIRE FROM THE COUNTY OF SAN DIEGO THREE PARCELS, IDENTIFIED AS APN 667-040-04-00, APN 645-075-13-00, AND APN 307-100-14-00, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT FOR SALE AND PURCHASE OF TAX-DEFAULTED REAL PROPERTY AND COVENANTS, CONDITIONS AND RESTRICTIONS AGREEMENT WITH THE COUNTY OF SAN DIEGO, AND AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED \$50,000 FROM THE HABITAT ACQUISITION FUND, IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15313.

WHEREAS, the City of San Diego, as the lead agency in the development of the Multiple Species Conservation Program (MSCP), authorized the acquisition of parcel APN 667-040-04-00, parcel APN 645-075-13-00, and parcel APN 307-100-14-00, from the County of San Diego, to protect the parcels from future development and ensure the on-site native habitat/endangered and threatened species would be conserved; authorized the execution and delivery of an Agreement for Sale and Purchase of Tax-Defaulted Real Property and Covenants, Conditions and Restrictions with the County; and authorized the expenditure of an amount not to exceed \$50,000 for the acquisition of said parcels; 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, Division 6, 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 15313 (Acquisition of Lands for Wildlife Conservation Purposes), 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, on DEC 06 2016, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

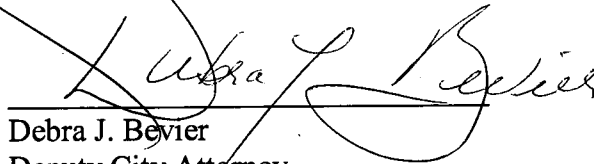
WHEREAS, the City Council, using its independent judgment, has determined that the Project will not have a significant effect on the environment because the Project involves the acquisition of land for wildlife conservation purposes pursuant to CEQA Guidelines section 15313; NOW, THEREFORE,

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 15313.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego determines that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Debra J. Bevier
Deputy City Attorney

DJB:mcm
November 17, 2016
March 7, 2017 Cor. Copy
Or.Dept: Real Estate Assets Dept.
Doc. No.: 1394118_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 06 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____
(date)

KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

(Note: See attached memo and signature page.)

**Office of
The City Attorney
City of San Diego**

**MEMORANDUM
MS 59**

(619) 236-6220

DATE: March 7, 2017
TO: City Clerk's Office
FROM: City Attorney
SUBJECT: Correction on Item No. 108 on the December 6, 2016 City Council Docket

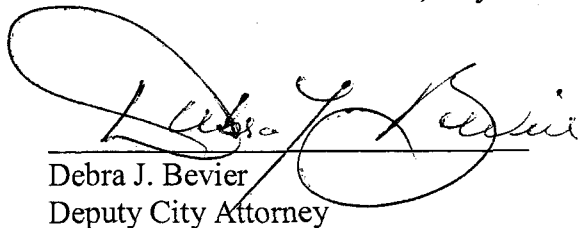
Item No. 108 on the December 6, 2016 City Council Docket: Correction of Parcel APN No. 307-075-14-00 had been corrected with Parcel APN No. 307-100-14-00 in first paragraph of resolution number R-2017-260 Cor. Copy.

:/nja

BE IT FURTHER RESOLVED, that the Council of the City of San Diego determines 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


Debra J. Bevier
Deputy City Attorney

DJB:mcm
November 17, 2016
Or.Dept: Real Estate Assets Dept.
Doc. No.: 1394118

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 06 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/14/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 06 2016, 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"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 3 - (Vacant)	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 16 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 *Jinda Bruin*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310826