

Item 151  
07-17-17  
(R-2017-681)  
Sub-Item B

RESOLUTION NUMBER R- 311240

DATE OF FINAL PASSAGE JUL 24 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE CITY'S ACQUISITION AND IMPROVEMENT OF REAL PROPERTY LOCATED AT 1788 PALM AVENUE, IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER THE GENERAL RULE IN TITLE 14 CALIFORNIA CODE OF REGULATIONS SECTION 15061(b)(3) AND IS ALSO CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO TITLE 14 CALIFORNIA CODE OF REGULATIONS SECTIONS 15301 AND 15304.

WHEREAS, the California Environmental Quality Act (Public Resources Code section 21000 et seq.) (CEQA), section 21084, states that the guidelines for implementation of CEQA promulgated by the California Office of Planning and Research and adopted by the Secretary of the California Natural Resources Agency in California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq. (CEQA Guidelines), 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 for those classes of projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the City proposes to acquire the real property and improvements generally described as 1788 Palm Avenue, San Diego, California, for the purpose of rehabilitating the existing hotel building on the property to provide affordable transitional housing for homeless persons participating in the San Diego Misdemeanants At-Risk Track program, and to use certain

federal Community Development Block Grant funding to pay for such acquisition (collectively, the Project); and

WHEREAS, the City's Planning Department has established that the Project is exempt from CEQA under the "General Rule" of CEQA Guidelines section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and is also categorically exempt from CEQA pursuant to CEQA Guidelines 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, and CEQA Guidelines section 15304 (Minor Alterations to Land), which allows 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

WHEREAS, the City's Planning Department has also established that no exception to the foregoing exemptions, as set forth in CEQA Guidelines section 15300.2, applies to the Project; and

WHEREAS, the Council held a duly noticed public meeting on July **17**, 2017, where the Council considered the written record and public comment about the Project; NOW,

THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego (Council), as follows:


1. It is the Council's independent judgment, after considering the written record and public comment about the Project, that the Project is exempt from CEQA under the "General Rule" of CEQA Guidelines section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and is also categorically exempt

from CEQA pursuant to CEQA Guidelines section 15301 (Existing Facilities) and CEQA Guidelines section 15304 (Minor Alterations to Land).

2. It is the Council's independent judgment, after considering the written record and public comment about the Project, that no exception to the foregoing exemptions, as set forth in CEQA Guidelines section 15300.2, applies to the Project.

3. 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: MARA W. ELLIOTT, City Attorney

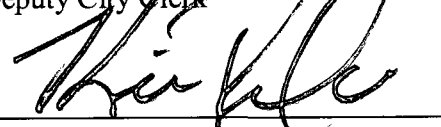
By   
Delmar G. Williams  
Deputy City Attorney

DGW:slo  
06/27/17  
Or.Dept: Econ. Dev.  
Doc. No. 1525261\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 17 2017.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

  
KEVIN L. FAULCONER, Mayor

Approved: 7/24/2017  
(date)

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

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

Passed by the Council of The City of San Diego on JUL 17 2017, by the following vote:

| Councilmembers  | Yeas                                | Nays                                | Not Present              | Recused                  |
|-----------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| Barbara Bry     | <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"/> |
| Chris Ward      | <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"/> |
| Georgette Gomez | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage JUL 24 2017.

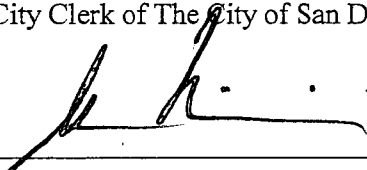
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 311240