

RESOLUTION NUMBER R- 311745

DATE OF FINAL PASSAGE MAY 22 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE AUTHORIZATION TO EXECUTE THE FIRST AMENDMENT TO CITY OF SAN DIEGO NONPROFIT LEASE WITH NEIGHBORHOOD HOUSE ASSOCIATION, INC. FOR CITY REAL PROPERTY LOCATED AT POLK AVENUE (APN 454-752-16, 17, 18, AND 19) IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3).

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), states that 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 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 City of San Diego (City) desires to authorize the execution of the certain First Amendment to City of San Diego Nonprofit Lease with Neighborhood House Association, Inc. (First Amendment), on file in the Office of the City Clerk as Document No. RR- 311744 to extend the term of the Lease by fifteen (15) years to a total term of thirty-five (35) years, to construct, operate, and maintain a child care center on the unimproved land located at Polk Avenue, APN 454-752-16, 17, 18 and 19 (Property), to reduce the leasehold to 0.32 acres, and to

execute an Agreement for Grant Funds from the Federal Head Start Program, under the terms and conditions set forth therein (Project); and

WHEREAS, the Planning Department has established that the approval of the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) and that no exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Project; and

WHEREAS, pursuant to CEQA Section 15352(a), authorization to execute the First Amendment, does not constitute approval of the Project for which a future discretionary action and environmental document would be required. This action will not foreclose review of alternatives or mitigation measures by the public as part of any future CEQA process. Formal approval of a future project will occur once an environmental review has been completed in accordance with the provisions of CEQA Section 15004 and the City's Land Development Code; and

WHEREAS, the Council of the City of San Diego (Council) has considered the potential environmental effect of the Project; and

WHEREAS, the Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; 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 authorization to execute the First Amendment to City of San Diego Nonprofit Lease with Neighborhood House Association, Inc., and determines that the Project is categorically exempt from CEQA pursuant

to CEQA Guidelines section 15061(b)(3), and 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 Hilda R. Mendoza
Hilda R. Mendoza
Deputy City Attorney

HRM:nja
04/27/18
Or.Dept: READ
Doc. No.: 1739980

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 15 2018.

ELIZABETH S. MALAND
City Clerk

By Stacy Rudy
Deputy City Clerk
Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Approved: 5/21/18
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAY 15 2018, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input 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 MAY 22 2018

(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 *My Brady*, Deputy

Office of the City Clerk, San Diego, California

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