

RESOLUTION NUMBER R- 312915

DATE OF FINAL PASSAGE APR 09 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE SALE OF A 17,717 SQUARE FOOT CITY OWNED PROPERTY (APN 272-110-43) WITH A RESERVATION OF EASEMENTS TO CASA DE LAS CAMPANAS, INC. AND ACQUISITION OF TWO EASEMENTS ON AN ADJACENT CASA-OWNED PROPERTY (APN 272-110-44) IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15061(b)(3), 15305, AND 15301.

WHEREAS, the City of San Diego (City) is considering transferring ownership of a 17,717-square foot parcel of land located between the western side of Interstate 15 and the eastern side of West Bernardo Drive and south of Lake Hodges, Assessor's Parcel Number 272-110-43, to Casa de las Campanas, Inc. (Casa), with a reservation of easements for a public street and existing sewer and water lines, in exchange for the acquisition of easements for underground utility lines from Casa de las Campanas, Inc. on a parcel of land located at 18655 West Bernardo Drive, San Diego, California, Assessor's Parcel Number 272-110-44 (the Casa Parcel) that are necessary for pipeline maintenance and operation, to preserve water supply development options, and to settle and dispose of Risk Management Claim Number 18091 (the Project); and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code sections 21000-211177), section 21084, states that the CEQA Guidelines (title 14, sections 15000 to 15387 of the California code of Regulations) 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 City desires to transfer the 17,717-square foot parcel, Assessor's Parcel Number 272-110-43, to Casa, with a reservation of easements for a public street and existing sewer and water lines, in exchange for the acquisition of easements from Casa for underground utility lines on the Casa Parcel, and to settle and dispose of Risk Management Claim Number 18091; and

WHEREAS, the Planning Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(3), 15305, and 15301 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 (Council) has considered the potential environmental effects 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; and

WHEREAS, the Council, using its independent judgment, has determined that the Project is categorically exempt from CEQA, pursuant to CEQA Guidelines section 15061(b)(3), under the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment, section 15305 which allows minor alterations in land use limitations in areas with an average slope of less than 20% and do not result in any changes in land use or density covering a reservation of easements for sewer and water lines and a public street, and section 15301 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 covering the acquisition of easements for underground water and sewer lines; and

WHEREAS, the Council has determined that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply in that no cumulative impacts were identified, no significant effects on the environment were identified, the Project is not adjacent to a scenic highway, no historical resources would be affected by the action, and the Project was not identified on a list of hazardous waste sites pursuant to section 65962.5 of the Government Code; 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 sections 15061(b)(3), 15305, and 15301 and that an exception to the exemption 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: MARA W. ELLIOTT, City Attorney

By /s/ Kathy J. Steinman
Kathy J. Steinman
Deputy City Attorney


KJS:nja
02/27/20
Or. Dept: READ
Doc. No.: 2328577

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 04/07/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Gil Sanchez
Deputy City Clerk

Approved: 4/9/2020
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 07 2020, 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"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 09 2020.

(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.

(Seal)

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

By *Cennie Patterson*, Deputy
for Stacy Ready

Office of the City Clerk, San Diego, California

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