

RESOLUTION NUMBER R- 313115DATE OF FINAL PASSAGE JUN 18 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE CITY COUNCIL, AS RESPONSIBLE AGENCY, HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MISSION VALLEY SDCCU STADIUM SITE PROJECT (PROJECT) AND HAS ADOPTED FINDINGS OF FACT, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT BEFORE CONSIDERING THE DISCRETIONARY APPROVAL OF ACTIONS RELATED TO THE PROJECT.

WHEREAS, the City of San Diego (City) and the Board of Trustees of the California State University, the State of California acting in its higher education capacity, on behalf of San Diego State University (CSU), have negotiated the terms and conditions of a proposed Purchase and Sale Agreement (PSA), by which the City will sell to CSU, and CSU will purchase from the City, approximately 135.12 acres of land commonly known as the Mission Valley SDCCU stadium site (Acquisition Site); and

WHEREAS, unless otherwise specified, all capitalized terms in this Resolution have the same meaning ascribed to them in the PSA, a copy of which is included as Attachment A to the staff report accompanying this Resolution (Staff Report); and

WHEREAS, the City and CSU (collectively, Parties) have negotiated the terms and conditions of the PSA in accordance with the SDSU West citizens' initiative, also known as Measure G, approved by the City's voters on November 6, 2018; and

WHEREAS, as contemplated by Measure G, the PSA describes CSU's anticipated development of a variety of improvements and uses on the Acquisition Site, as well as an

additional site consisting of approximately 34.6 acres to be retained in the City's ownership and located generally south of the Acquisition Site (River Park Property); and

WHEREAS, CSU's purchase of the Acquisition Site and its anticipated development project on the Acquisition Site and the River Park Property (collectively, Project) will feature various development components consistent with the Campus Master Plan, including, but not limited to, the following: (a) approximately 86 acres of parks, recreation, and open space on the Acquisition Site and the River Park Property, including the River Park Improvements and other improvements on the River Park Property; (b) approximately 1.6 million square feet of campus uses for education, research, entrepreneurial, and technology programs; (c) construction of the New Stadium, which will be a multipurpose stadium with an event capacity of 35,000 persons, and corresponding demolition of the Existing Stadium; (d) approximately 4,600 residences, including student, faculty, staff, workforce, and affordable housing; (e) approximately 400 hotel rooms; (f) approximately 95,000 square feet of community-serving retail space; (g) enhanced use of the MTS Green Line Stadium Trolley Station and accommodation of the planned Purple Line on the Acquisition Site; and (h) associated on-site and off-site infrastructure, utilities, facilities, and other amenities; and

WHEREAS, the Project is anticipated to result in a vibrant mixed-use campus village in Mission Valley to be used and operated by San Diego State University (SDSU) to support SDSU's education, research, entrepreneurial, technology, and athletics programs; and

WHEREAS, on January 29, 2020, pursuant to the California Environmental Quality Act, set forth at California Public Resources Code section 21000 *et seq.* (CEQA), and the CEQA Guidelines, set forth at the California Code of Regulations, title 14, section 15000 *et seq.*, CSU's Board of Trustees, as the lead agency for the Project, certified the Final Environmental Impact

Report (SCH No. 2019011042) dated January 2020 for the SDSU Mission Valley Campus Master Plan Project (Final EIR), which describes, discloses, and analyzes the environmental impacts of the Project, and a copy of the Final EIR (a voluminous document) is accessible through a website link provided in the staff report accompanying this Resolution; and

WHEREAS, also on January 29, 2020, CSU's Board of Trustees adopted the Findings of Fact and Statement of Overriding Considerations, as well as the Mitigation Monitoring and Reporting Program (collectively, Additional Final EIR Documents), in connection with the Final EIR and approved certain actions for CSU's implementation of the Project, and a copy of the Additional Final EIR Documents is included as Attachments H and I to the Staff Report; and

WHEREAS, in certifying and approving its CEQA-related actions on January 29, 2020, CSU's Board of Trustees also relied upon prior CEQA documents, as follows: (1) the Final Program Environmental Impact Report (SCH No. 2015021053) for the City of San Diego Climate Action Plan, certified by the San Diego City Council (Council) pursuant to Resolution R-310176 adopted effective December 15, 2015, and the Addendum to such Program Environmental Impact Report related to an amendment to the Climate Action Plan, approved by the Council pursuant to Resolution R-310595 adopted effective July 12, 2016; and (2) the Final Program Environmental Impact Report (SCH No. 2017071066) for the Mission Valley Community Plan Update, certified by the Council pursuant to Resolution R-312653 adopted effective September 12, 2019; and

WHEREAS, the City, acting through the Council, is a responsible agency for the Project, as provided in CEQA Guidelines section 15381, because the Council is considering the discretionary approval of the PSA and related implementing actions for the Project, and when

effectuated in accordance with its terms and conditions, the PSA will result in CSU's development of the Project; and

WHEREAS, before considering the discretionary approval of the PSA and related implementing actions for the Project, the Council desires to: (a) certify that it has reviewed and considered the Final EIR; and (b) adopt the Additional Final EIR Documents pursuant to CEQA Guidelines sections 15050, 15091, and 15096; and

WHEREAS, the Council has held a public hearing, and has reviewed and considered the written and verbal testimony and evidence presented at or before the public hearing, regarding the subject matter of this Resolution; NOW, THEREFORE,

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

1. The Council, acting in its independent judgment, has reviewed and considered the information contained in the Final EIR and the Additional Final EIR Documents (collectively, CEQA Documents) relevant to the City's approval of discretionary actions within the City's jurisdiction necessary for the future implementation of the Project.

2. Based upon its review and consideration of the CEQA Documents, the Council, acting in its independent judgment, determines and concludes as follows:

- a. In certifying the Final EIR, CSU's Board of Trustees has already identified, analyzed, disclosed, and adopted the mitigation measures for the Project;
- b. The Council determines that the information and analyses contained in the CEQA Documents, including the Findings of Fact, are adequate for the

- City's use as a responsible agency and for the City's consideration of discretionary actions to implement the Project;
- c. The City's approval of discretionary actions to implement the Project are within the scope of the activities described and evaluated in the CEQA Documents;
  - d. The City has not identified a feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect that the Project would have on the environment; and
  - e. Since CSU's Board of Trustees certified the Final EIR, there have been no substantial changes to the Project and no substantial changes in Project circumstances that would require major revisions to the CEQA Documents due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance regarding the Project that would change the conclusions set forth in the CEQA Documents.

3. The City, as a responsible agency under CEQA, adopts CSU's Board of Trustees' Findings of Fact related to the Final EIR for the Project as its own findings under CEQA to the fullest possible extent that those Findings of Fact are relevant to the City's decision to approve discretionary actions to implement the Project.

4. The City, as a responsible agency under CEQA, concurs with the Statement of Overriding Considerations adopted by CSU's Board of Trustees on January 29, 2020, and adopts

the Statement of Overriding Considerations and the related finding that the benefits of the Project outweigh the adverse environmental impacts not reduced to below a level of significance.

5. Pursuant to California Public Resources Code section 21081.6, the Council concurs with the Mitigation Monitoring and Reporting Program adopted by CSU's Board of Trustees on January 29, 2020, and adopts the Mitigation Monitoring and Reporting Program to implement the changes to the Project as required by the Council in order to mitigate or avoid significant effects on the environment.

6. The City Clerk is directed to file a Notice of Determination with the Clerk of the San Diego County Board of Supervisors following the City's approval of any discretionary action related to the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By       /s/ Kevin Reisch        
Kevin Reisch  
Senior Chief Deputy City Attorney

KJR:jdf  
6/12/20  
Or.Dept: Real Estate Assets  
Doc. No. 2395384\_2  
Companion to: R-2020-606  
                  R-2020-607  
                  O-2020-123  
                  O-2020-123

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 06/17/2020.

ELIZABETH S. MALAND  
City Clerk

By /s/ Gil Sanchez  
Deputy City Clerk

Approved: 6/18/20  
(date)

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

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

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

Passed by the Council of The City of San Diego on JUN 17 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 checked="" type="checkbox"/>	<input 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 JUN 18 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 , Deputy

Office of the City Clerk, San Diego, California

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