

106a
08/02/2022

(R-2023-40)

RESOLUTION NUMBER R- 314288

DATE OF FINAL PASSAGE AUG 10 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT APPROVAL OF THE SECOND AMENDMENT TO THE LEASE WITH THE NEIGHBORHOOD HOUSE ASSOCIATION FOR PROPERTY LOCATED AT 475 WEST BROADWAY, SAN DIEGO, CALIFORNIA, IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CEQA GUIDELINES SECTION 15301.

WHEREAS, the City of San Diego (City) proposes to enter into the Second Amendment to the Lease with the Neighborhood House Association (NHA) with regard to certain real property located at 475 West Broadway in the Downtown Community Plan Area (Project); and

WHEREAS, within the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, *et seq.*), Public Resources Code section 21084 states that the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000, *et seq.*) adopted by the California Office of Planning and Research under Public Resources Code section 21083 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, CEQA Guidelines sections 15300 through 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 that have been determined not to have a significant effect on the environment; and

WHEREAS, CEQA Guidelines section 15301 sets forth a categorical exemption for minor alterations to existing facilities; and

WHEREAS, the City's Planning Department determined that the Project is categorically exempt from CEQA under CEQA Guidelines section 15301 because the Project will amend an

existing lease between the City and NHA to allow NHA to continue operating its childcare program in an existing building located at 475 West Broadway; and

WHEREAS, the City's Planning Department further determined that no exception set forth in CEQA Guidelines section 15300.2 applies to the Project; and

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

WHEREAS, the Council held a duly noticed public meeting and considered the written record and related public comment about the Project; and

WHEREAS, the Council, exercising its independent judgment, determined that the Project will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines section 15301 (Existing Facilities); and

WHEREAS, the Council, exercising its independent judgment, determined that no exception set forth in CEQA Guidelines section 15300.2 applies to the Project because no cumulative impacts were identified; no significant effects on the environment were identified; none of the land is adjacent to a scenic highway; no historical resources will be affected by the action; and none of the land is identified on a list of hazardous waste sites under California Government Code section 65962.5; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

1. The Project will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines section 15301.
2. No exception to the categorical exemption, set forth in CEQA Guidelines section 15300.2, applies to the Project.
3. The City Clerk is directed to file a Notice of Exemption with the Clerk of the San Diego County Board of Supervisors.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ William W. Witt
 William W. Witt
 Deputy City Attorney

WWW:jvg
 July 13, 2022
 Or.Dept: Economic Development Department
 CC No. N/A
 Doc. No.: 3029018
 Companion to: R-2023-4

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 02 2022 .

ELIZABETH S. MALAND
 City Clerk

By Connie Patterson
 Deputy City Clerk

Approved: 8/10/22
 (date)

 TODD GLORIA
 TODD GLORIA, Mayor

Vetoed: _____
 (date)

 TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on AUG 02 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 10 2022.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **314288**