

RESOLUTION NUMBER R- 314365
DATE OF FINAL PASSAGE OCT 12 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE NON-PROFIT LEASE WITH NEIGHBORHOOD HOUSE ASSOCIATION, INC. FOR CITY OWNED REAL PROPERTY LOCATED AT 3795-B FAIRMOUNT DRIVE IN SAN DIEGO AND AUTHORIZING A WAIVER OF CERTAIN PORTIONS OF COUNCIL POLICY 700-12 IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301.

WHEREAS, the City of San Diego (City) owns certain improved real property consisting of an approximately 5,400 square foot building with an approximately 2,190 square foot outside play area, located at 3795-B Fairmount Avenue, San Diego, California 92105 (Property); and

WHEREAS, the Neighborhood House Association, Inc. (NHA), a California nonprofit corporation was established in 1914 as a 501(c)(3) non-profit, public benefit corporation; and

WHEREAS, the City directly negotiated a public benefit lease (Project) for the Property with NHA to provide the San Diego community with quality day care services and recreation for 80 children from low-income families; and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the 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, the Development Services Department has determined that the Project is activity that is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) because it consists of the operation, repair, maintenance, permitting,

leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use; and

WHEREAS, the Development Services Department has determined that the exceptions listed in CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the Property is not adjacent to a scenic highway; no historical resources would be affected by the action; and the Property was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code; and

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

WHEREAS, on OCT 12, 2022, the Council held a duly noticed public meeting and considered the written record for the Project as well as any public comment; and

WHEREAS, the Council, using its independent judgment, has determined that the Project is activity that is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) because leasing the Property to NHA to provide the San Diego community with quality day care services and recreation for 80 children from low-income families consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment the activity is not subject to CEQA. This action will not

foreclose review of alternatives or mitigation measures by the public as part of the future CEQA process; and

WHEREAS, the Council, using its independent judgment, has determined that the exceptions listed in CEQA Guidelines Section 15300.2 would not apply to the Project because no cumulative impacts were identified; no significant effects on the environment were identified; the Property is not adjacent to a scenic highway; no historical resources would be affected by the action; and the Property was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided 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, that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15301, and the exceptions listed in CEQA Guidelines Section 15300.2 do not apply.

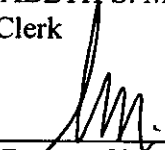
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Jane M. Boardman
Jane M. Boardman
Deputy City Attorney

JMB:nja
09/13/2022
Or. Dept: READ
Doc. No. 3085829

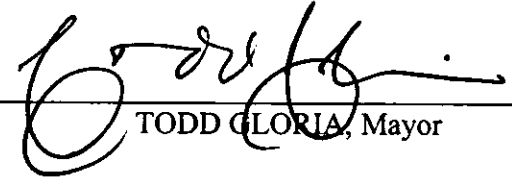
I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 03 2022.

ELIZABETH S. MALAND
City Clerk

By  _____
Deputy City Clerk

Approved: 10/12/22

(date)

 _____
TODD GLORIA, Mayor

Vetoed: _____

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on OCT 03 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 OCT 12 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 [Signature], Deputy

Office of the City Clerk, San Diego, California
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