(R-2023-470)

RESOLUTION NUMBER R- 314675

DATE OF FINAL PASSAGE MAR 2 8 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DETERMINING THAT APPROVAL OF THE
THIRD AMENDMENT TO THE THIRD AMENDED AND
RESTATED FLAT RATE LEASE WITH BROWN FIELD
AVIATION VENTURES, INC. FOR 20.29 ACRES OF REAL
PROPERTY AT BROWN FIELD MUNICIPAL AIRPORT IS
CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT UNDER CEQA
GUIDELINES SECTION 15301.

WHEREAS, the City proposes to enter into the Third Amendment to the Third Amended

and Restated Flat Rate Lease with Brown Field Aviation Ventures Inc. (BFAV), for 20.29 acres

of real property at Brown Field Municipal Airport in the Otay Mesa community of the City of

San Diego (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 BFAV to reduce the size of the premises and allow BFAV to continue its existing operations at Brown Field Municipal Airport; 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
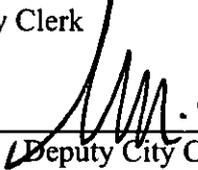
Diego County Board of Supervisors.

APPROVED: MARA W. ELLIOTT, City Attorney

By   _____

William Witt
Deputy City Attorney

WWW:jdf
02/23/2023
Or.Dept: DREAM
Doc. No.: 3242191
Companion to: R-2023-471

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this
meeting of _____**MAR 2 1 2023**_____.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: ___**3/27/23**_____   _____
                    (date)   TODD GLORIA, Mayor

Vetoed: _____   _____
                    (date)   TODD GLORIA, Mayor

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Passed by the Council of The City of San Diego on ___MAR 2 1 2023___, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☑	☐	☐	☐
Jennifer Campbell	☑	☐	☐	☐
Stephen Whitburn	☐	☐	☑	☐
Monica Montgomery Steppe	☑	☐	☐	☐
Marni von Wilpert	☑	☐	☐	☐
Kent Lee	☑	☐	☐	☐
Raul A. Campillo	☑	☐	☐	☐
Vivian Moreno	☑	☐	☐	☐
Sean Elo-Rivera	☑	☐	☐	☐

Date of final passage ___MAR 2 8 2023___.

(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.)
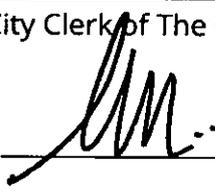
AUTHENTICATED BY:

(Seal)

___TODD GLORIA___
Mayor of The City of San Diego, California.

___DIANA J.S. FUENTES___
City Clerk of The City of San Diego, California.

By _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R-_____ 314675