

RESOLUTION NUMBER R- 314769DATE OF FINAL PASSAGE MAY 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE AUTHORIZATION OF A TEN-YEAR PUBLIC SERVICE LEASE BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO HUMANE SOCIETY FOR THE CITY-OWNED REAL PROPERTY LOCATED AT 5480 GAINES STREET, SAN DIEGO, CA 92110 IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15301, AND NO EXCEPTIONS PURSUANT TO CEQA GUIDELINES SECTION 15300.2 APPLY, AND DIRECTING THE CLERK TO FILE A NOTICE OF EXEMPTION.

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), 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, pursuant to the authority of CEQA section 21083, 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 of San Diego desires to authorize a ten-year lease with the San Diego Humane Society for the City-owned real property located at 5480 Gaines Street, San Diego, CA 92110 (Project); and

WHEREAS, the Planning Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 (Existing Facilities), 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 will not result in a significant effect on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 (Existing Facilities), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use, and that none of the exceptions applicable to any of these categorical exemptions pursuant to CEQA Guidelines section 15300.2 apply; 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, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 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 Council of the City of San Diego hereby directs the City Clerk 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  FOR
Marco A. Verdugo
Deputy City Attorney

MAV:sc
04/20/2023
Or.Dept: DREAM
Doc. No.: 3283401

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 24 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 5/1/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 24 2023, 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"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 MAY 01 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:

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

(Seal)

DIANA J.S. FUENTES
Interim City Clerk of The City of San Diego, California.

By *Junpreetjodina*, Deputy

Office of the City Clerk, San Diego, California

314769

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