

RESOLUTION NUMBER R- 314937

DATE OF FINAL PASSAGE JUN 12 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE AUTHORIZATION OF THE EXECUTION OF THE JOINT USE AGREEMENTS BETWEEN THE CITY OF SAN DIEGO AND SAN DIEGO UNIFIED SCHOOL DISTRICT FOR CLARK MIDDLE SCHOOL, EDISON ELEMENTARY SCHOOL, EMERSON ELEMENTARY SCHOOL, JEFFERSON ELEMENTARY SCHOOL, OCEAN BEACH ELEMENTARY SCHOOL, AND PERSHING MIDDLE SCHOOL IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15301 AND 15323.

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, CEQA Guidelines section 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 (City) desires to authorize the execution of Agreements for the Construction, Operation, Maintenance, and Use of Joint Use Facilities with the San Diego Unified School District at Clark Middle School, on file in the Office of the City Clerk as Document No. OO- 21665<sup>-1</sup>, Edison Elementary School, on file in the Office of the City Clerk as Document No. OO- 21665<sup>-2</sup>, Emerson Elementary School, on file in the

Office of the City Clerk as Document No. OO- 21665<sup>-3</sup>, Jefferson Elementary School,  
on file in the Office of the City Clerk as Document No. OO- 21665<sup>-4</sup> Ocean Beach  
Elementary School, on file in the Office of the City Clerk as Document No. OO- 21665<sup>-5</sup>,  
and Pershing Middle School, on file in the Office of the City Clerk as Document No. OO-  
21665<sup>-6</sup> (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 15323  
(Normal Operations of Facilities for Public Gathering), 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

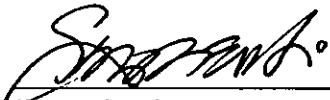
WHEREAS, the Council, using its independent judgment, has determined that the Project  
is categorically exempt from CEQA, pursuant to CEQA Guidelines section 15301 (Existing  
Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing, or  
minor alterations of existing public or private structures or facilities involving negligible or no  
expansion of existing or former use and CEQA Guidelines section 15323 (Normal Operations of  
Facilities for Public Gatherings) which exempts the normal operations of existing facilities for  
public gatherings for which the facilities were designed, where there is a past history of the  
facility being used for the same or similar kind of purpose; 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 section 15323, and that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Karen S. Li  
Chief Deputy City Attorney

KSL:nja  
5/18/2023  
7/7/2023 Cor. Copy  
Or. Dept: Parks & Rec.  
Doc. No.: 3311185\_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 06 2023.

DIANA J.S. FUENTES  
City Clerk

By

Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

TODD GLORIA, Mayor

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

TODD GLORIA, Mayor

(See attached memo and signature page.)

**Office of  
The City Attorney  
City of San Diego**

**MEMORANDUM**

**DATE:** July 7, 2023

**TO:** Gilberto Sanchez, Associate Management Analyst  
Constance Patterson, Legislative Recorder

**FROM:** Karen S. Li, Chief Deputy City Attorney

**SUBJECT:** Correction on City Council Item 61 Subitem A; R-2023-750 for June 6, 2023


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This Office has prepared a corrected copy of Resolution R-2023-750 by adding "Jefferson Elementary School, on file in the Office of the City Clerk as Document No. OO-\_\_\_\_\_, " in the third Whereas recital that was inadvertently not included. No other changes were made.

KSJ:nja  
Doc. No. 3350314  
Attachment  
cc: Diana J.S. Fuentes, Interim City Clerk

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 section 15323, and that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Karen S. Li  
Deputy City Attorney

KSL:nja  
5/18/2023  
Or. Dept: Parks & Rec.  
Doc. No.: 3310079

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 06 2023.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 6/12/23  
(date)

  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 06 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 JUN 12 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 Cornie Patterson Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **314937**