

(R-2024-120)

RESOLUTION NUMBER R- 315163DATE OF FINAL PASSAGE OCT 23 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT APPROVAL OF THAT CERTAIN OFFICE LEASE BETWEEN AG-PCPI SKY PARK OWNER, L.P., A DELAWARE LIMITED PARTNERSHIP, AND THE CITY OF SAN DIEGO IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER TITLE 14 CALIFORNIA CODE OF REGULATIONS SECTION 15301.

WHEREAS, the City of San Diego (City) is considering approval of that certain Office Lease between AG-PCPI SKY PARK OWNER, L.P., a Delaware limited partnership, and the City (Lease); and

WHEREAS, the California Environmental Quality Act (CEQA), California Public Resources Code (Code) sections 21000-21189.3, provides in Code section 21083 that the California Office of Planning and Research shall promulgate, and the Secretary of the California Natural Resources Agency shall adopt, guidelines for implementation of CEQA; and

WHEREAS, the California Office of Planning and Research promulgated, and the Secretary of the California Natural Resources Agency adopted the guidelines for implementation of CEQA set forth in Title 14 California Code of Regulations sections 15000-15387 (CEQA Guidelines); and

WHEREAS, Code section 21084 provides that the CEQA Guidelines shall include a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from the provisions of CEQA; and

WHEREAS, CEQA Guidelines sections 15300-15333 list classes of projects that have been determined not to have a significant effect on the environment and declared to be exempt from preparation of environmental documents under CEQA; and

WHEREAS, the Council of the City of San Diego (Council) has considered the written record regarding the Lease and all public comments concerning the potential environmental effects of the Lease; and

WHEREAS, the Council, using its independent judgment, has determined that approval of the Lease is categorically exempt from the provisions of CEQA under CEQA Guidelines section 15301 for Class 1 Existing Facilities; and

WHEREAS, no exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Lease; 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, as follows:

1. The Lease is categorically exempt from the provisions of CEQA under CEQA Guidelines section 15301 for Class 1 Existing Facilities.

2. No exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Lease.

APPROVED: MARA W. ELLIOTT, City Attorney

By Kevin Reisch /for
Delmar G. Williams
Deputy City Attorney

DGW:aja
September 27, 2023
Or.Dept: DREAM
Doc. No.: 3425571

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 17 2023.

DIANA J.S. FUENTES
City Clerk

By [Signature]
Deputy City Clerk

Approved: 10/23/23
(date)

[Signature]
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on OCT 17 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 23 2023.

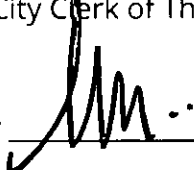
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

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

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

315163

Resolution Number R-_____