5503A 10-124 (R-2025-144)

RESOLUTION NUMBER R- 315809

DATE OF FINAL PASSAGE OCT 0 3 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT APPROVAL OF THE FIRST AMENDMENT TO THE AGREEMENT WITH DOWNTOWN SAN DIEGO PARTNERSHIP FOUNDATION FOR SAFE SLEEPING PROGRAM OPERATIONS AT O LOT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER TITLE 14 CALIFORNIA CODE OF REGULATIONS SECTION 15301.

## **RECITALS**

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

- A. The Council will consider approval of a First Amendment to the Agreement with Downtown San Diego Partnership Foundation for Safe Sleeping Program Operations at O Lot, allowing the City to continue operation and increase capacity and the number of safe sleeping accommodations at the program site (Project).
- B. 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 will promulgate, and the Secretary of the California Natural Resources Agency will adopt, guidelines for implementation of CEQA. 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 through 15387 (CEQA Guidelines).
- C. Code section 21084 requires the CEQA Guidelines to 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. CEQA Guidelines sections 15300 through 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.

- D. The Council has considered the written record related to the Project and all public comments about the potential environmental effects of the Project. The Council, using its independent judgment, has determined that the Project is categorically exempt from the provisions of CEQA under CEQA Guidelines section 15301 (titled "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.
- E. The Project allows for Downtown San Diego Partnership Foundation to continue operating the City's Safe Sleeping Program at the program site, and the increased safe sleeping accommodations would constitute a negligible expansion of the existing use of the program site.
- F. No exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Project.
- G. The Office of the City Attorney prepared this Resolution based on the information provided by City staff with the understanding that this information is complete and accurate.

## **ACTION ITEMS**

Be it resolved by the Council of the City of San Diego:

1. The Project is categorically exempt from the provisions of CEQA under CEQA Guidelines section 15301.

No exception to the application of a categorical exemption set forth in CEQA 2. Guidelines section 15300.2 applies to the Project. APPROVED: MARA W. ELLIOTT, City Attorney By Justin R. Bargar **Deputy City Attorney** JRB:cw 9/18/2024 Or. Dept: Homelessness Strategies & Solutions Department CC No.: 3000017098 Doc No.: 3799646 Companion to: R-2024-143 I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on 0CT 01 2024 DIANA J.S. FUENTES Vetoed: (date) TODD GLORIA, Mayor

## The City of San Diego COMPTROLLER'S CERTIFICATE

## CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000017098 DEPT. NO.: B A: 1716

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CC-361 (REV 7-09)

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Passed by the Council of The City	of San Dieg	so on00	T 01 2024	_, by the following vote:						
Councilmembers Joe LaCava Jennifer Campbell Stephen Whitburn Henry Foster, III Marni von Wilpert Kent Lee Raul A. Campillo Vivian Moreno	Yeas  Z  Z  Z  Z  Z  Z  Z	Nays	Not Present	Recused						
Sean Elo-Rivera	7	Ī								
OCT 0 3 2024  (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.)  TODD GLORIA										
AUTHENTICATED BY:		Mayo	or of The City of S	an Diego, California.						
(Seal)	·	,		San Diego, California.  San Diego, California.  Deputy  Sanchez						
	Res	Office of the	e City Clerk, San C er R <b>3158</b> (							

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