

RESOLUTION NUMBER R- 314060

DATE OF FINAL PASSAGE APR 26 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT DECLARING CERTAIN REAL PROPERTY, CONSISTING OF 2.041 ACRES OF PUBLIC RIGHT-OF-WAY ON SAN DIEGO MISSION ROAD AND MISSION VILLAGE DRIVE IN THE MISSION VALLEY AREA OF THE CITY OF SAN DIEGO, EXEMPT SURPLUS LAND IN COMPLIANCE WITH THE SURPLUS LAND ACT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CEQA GUIDELINES SECTIONS 15061(b)(3) AND 15312.

WHEREAS, the City of San Diego (City) is considering declaring certain real property, consisting of 2.041 acres of public right-of-way on San Diego Mission Road and Mission Village Drive in the Mission Valley area of the City (Property), exempt surplus land in compliance with the Surplus Land Act (California Government Code sections 54220 through 54234); and

WHEREAS, the Property is located immediately north of the former stadium site, which the City sold in August 2020 to the Board of Trustees of the California State University, the State of California acting in its higher education capacity on behalf of San Diego State University; 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 15312 sets forth a categorical exemption for “sales of surplus government property except for parcels of land located in an area of statewide, regional, or areawide concern identified in [CEQA Guidelines section 15206(b)(4)]”; and

WHEREAS, the City Planning Department determined that declaring the Property exempt surplus land is categorically exempt from CEQA under CEQA Guidelines section 15312 because this activity involves the sale of surplus government property; and

WHEREAS, the City Planning Department further determined that the Property is not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines section 15206(b)(4), and that no exception set forth in CEQA Guidelines section 15300.2 applies; and

WHEREAS, the City Planning Department further determined that declaring the Property exempt surplus land is exempt from CEQA under the common sense exemption in CEQA Guidelines section 15061(b)(3), which provides that CEQA only applies to actions having the potential to cause a significant effect on the environment; and

WHEREAS, the Council of the City of San Diego (Council) considered the potential environmental effects of declaring the Property exempt surplus land; and

WHEREAS, the Council held a duly noticed public meeting and considered the written record and related public comment about declaring the Property exempt surplus land; and

WHEREAS, the Council, exercising its independent judgment, determined that declaring the Property exempt surplus land in compliance with the Surplus Land Act will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA

Guidelines section 15312 (Surplus Government Property Sales) and is also exempt from CEQA under the common sense exemption in CEQA Guidelines section 15061(b)(3); and

WHEREAS, the Council, exercising its independent judgment, determined that the Property is not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines section 15206(b)(4); and

WHEREAS, the Council, exercising its independent judgment, determined that no exception set forth in CEQA Guidelines section 15300.2 applies to declaring the Property exempt surplus land 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; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. Declaring the Property exempt surplus land in compliance with the Surplus Land Act will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines section 15312 and is also exempt from CEQA under the common sense exemption in CEQA Guidelines section 15061(b)(3).
2. The Property is not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines section 15206(b)(4).
3. No exception to the categorical exemption, set forth in CEQA Guidelines section 15300.2, applies to the Property.

4. 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 /s/ Kevin Reisch
Kevin Reisch
Senior Chief Deputy City Attorney

KJR:jdf
03/25/22
Or.Dept: DREAM
Doc. No. 2773301
Companion to: R-2022-411 & R-2022-412

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego at this meeting of APR 12 2022.

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 4/24/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 12 2022, 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"/>
Chris Cate	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 APR 26 2022.

(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)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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