

DRAFT**RESOLUTION 20xx-xxx****RESOLUTION APPROVING AN APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR SAN DIEGO COUNTY TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF CERTAIN TERRITORY TO AND DETACHMENT OF TERRITORY FROM THE SAN DIEGO UNIFIED PORT DISTRICT, AND DETERMINING APPLICATION IS NOT SUBJECT TO ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, the San Diego Unified Port District (“District”) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I, (“Port Act”); and

WHEREAS, the District and San Diego County Local Agency Formation Commission (LAFCO) entered into that certain December 2024 Memorandum of Understanding (MOU), pursuant to which LAFCO agreed, among other things, to establish an interim sphere of influence (Interim SOI) for the District, and pursuant to which the District agreed to initiate proceedings for “clean-up annexations and detachments” following approval of the Interim SOI; and

WHEREAS, at its February 2025 Commission Meeting, LAFCO approve establishment of an Interim SOI for the District, which, as required by the MOU: (a) is consistent with the existing sphere of influence designations of the cities of Chula Vista, Coronado, Imperial Beach, National City, and San Diego (collectively, Member Cities), and (b) includes any other territory included in the District’s boundaries or conveyed to the District pursuant to the District’s principal act, the Port Act, territory granted to the District by SB 507 (2019-2020) and any additional territory granted to the District following the effective date of the MOU and LAFCO’s action to establish the Interim SOI (Other Port Territory); and

WHEREAS, in connection with its action to approve an Interim SOI for the District, LAFCO made a related categorical exemption finding under the California Environmental Quality Act (CEQA); and

WHEREAS, in furtherance of its obligations under the MOU, the District’s Board of Port Commissioners (Board) desires to initiate proceedings for (a) annexation of any lands to the District that are not currently within the LAFCO recognized boundary of the District but are currently within the boundaries of the Member Cities; (b) annexation to the District of Other District Territory; and (c) detachment of any lands from the District not currently within the boundaries of the Member Cities to ensure the District’s jurisdictional boundary is consistent with the

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current jurisdictional boundaries of its Member Cities and Other District Territory, the Port Act and California Law (Clean-Up Annexations/Detachments); and

WHEREAS, the Clean-Up Annexations/Detachments are consistent with the Interim SOI Approved by LAFCO in February 2025; and

WHEREAS, the Board desires to direct District staff to execute and submit an application, and other necessary and required documents for the Clean-Up Annexations/Detachments, to LAFCO upon receipt from LAFCO of the materials and information described in Sections 5(b) and 5(f) of the MOU, including, but not limited to, maps and legal descriptions in a form compliant with current legal requirements; and

WHEREAS, the Clean-Up Annexations/Detachments shall be consistent with the terms and conditions of the MOU, including with regard to the waiver of LAFCO's application fees, and payment by LAFCO for all other ancillary and outside costs pursuant to Section 5(g) of the MOU; and

WHEREAS, the proposed Board action is not subject to environmental review under CEQA (Pub. Resources Code., §§ 21000 et seq.), pursuant to State CEQA Guidelines (Cal. Code Regs., §§ 15000 et seq.) sections 15320 (change of organization), 15378 (not a project), and 15061(b)(3) (common sense exemption where there is no potential for causing a significant effect on the environment). The Clean-Up Annexations/Detachments would not result in any physical change to the environment because District's existing use of and exercise of powers within the territory comprising the Clean-Up Annexations/Detachments would not change and would continue.

NOW, THEREFORE BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District (Board) that:

1. The above recitals are true and correct and are incorporated herein.
2. The Board hereby determines that adoption of this Resolution of Application is not subject to environmental review under CEQA (Pub. Resources Code., §§ 21000 et seq.), pursuant to State CEQA Guidelines (Cal. Code Regs., §§ 15000 et seq.) sections 15320 (change of organization), 15378 (not a project), and 15061(b)(3) (common sense exemption where there is no potential for causing a significant effect on the environment). The Clean-Up Annexations/Detachments would not result in any physical change to the environment because District's existing use of and exercise of powers within the territory comprising the Clean-Up Annexations/Detachments would not change and would continue.
3. This Resolution of Application is hereby adopted and approved by the

Board.

4. LAFCO is hereby requested to take proceedings for the Clean-Up Annexations/Detachments, according to the terms and conditions stated above and in the manner provided by the MOU.
5. The Board hereby directs District staff to execute and submit an application, and other necessary and required documents, to LAFCO initiating the Clean-Up Annexations/Detachments as set forth herein, upon receipt from LAFCO of the information described in Sections 5(b) and 5(f) of the MOU.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6th day of June 2025, by the following vote: