

RESOLUTION NO. 2019 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE,
CALIFORNIA, APPROVING A RELOCATION AND LEASE AGREEMENT WITH
OUTFRONT MEDIA, LLC TO CONSTRUCT AND MANAGE A DIGITAL
MESSAGE BOARD SIGN ON CITY OWNED REAL PROPERTY**

WHEREAS, in June 2018, the City Council received a summary of revenue options that may be pursued that do not require voter approval. A digital message board sign was one of those options; and

WHEREAS, in September 2018, staff advertised a request for proposals to construct a digital message board sign on City owned real property; and

WHEREAS, two proposals were received and Outfront Media, LLC was selected as the most responsive and beneficial partner to construct a digital message board sign; and

WHEREAS, staff negotiated a relocation and lease agreement that provides multiple benefits to the City that include a consistent revenue stream for at least 20 years, the removal of two static billboards in the City, a modern landmark that will highlight a gateway entrance into the City, and an additional resources to promote City sponsored special events; and

WHEREAS, the benefits of partnering with Outfront Media, LLC to construct and manage a digital message board sign on City owned real property is in the best interest of the residents, businesses and guests of Lemon Grove.

WHEREAS, the City's approval of a relocation agreement involves the exercise of discretion, but not in a manner involving environmental considerations (*see San Diego Navy Complex Coalition v. City of San Diego* (2010) 185 Cal.App.4th 924, 938-939); existing law, including without limitation the California Outdoor Advertising Act, California Vehicle Code, and City policy City policies and the City's request for proposal requirements adequately protect the environment, and adjudging compliance with these requirements is a ministerial process that does not trigger review under the California

Environmental Quality Act (Public Resources Code section 21080(a), (b)(1); 14 Cal. Code Regs. sections 15268(a), 15352, 15357, 15369, 15378).

WHEREAS, in accordance with the above, the sign project proposed herein meets all applicable City standards, including those protecting the environment.

WHEREAS, even if CEQA review did apply, the City finds the proposed sign project would be exempt under a Class 3 CEQA exemption (14 Cal. Code Regs. section 15303, covering the construction of small structures), as substantial evidence in the administrative record demonstrates the project site is an urban, infill location, the sign is compatible with surrounding uses, the sign facings would be oriented toward the adjacent highway, and the sign's brightness levels and other operating parameters fully comply with all local and state safety standards.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California, hereby:

1. Approves the relocation and lease agreement with Outfront Media, LLC to construct and manage a digital message board sign; and
2. Directs the City Manager or her designee to allocate all revenues from the agreement to the General Fund; and
3. Authorizes the City Manager or her designee to sign and manage all documents related to this agreement.
4. Determines the project is not subject to CEQA under Public Resources Code section 21080(a), (b)(1) and 14 Cal. Code Regs. sections 15268(a), 15352, 15357, 15369, 15378, and would otherwise be exempt from CEQA because the project meets the requirements of a Class 3 Exemption (14 Cal. Code Regs. section 15303).

PASSED AND ADOPTED on _____, 2019, the City Council of the City of Lemon Grove, California, adopted Resolution No. _____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Shelley Chapel, MMC, City Clerk

Approved as to Form:

Kristen Steinke, City Attorney