

RESOLUTION NO. 43-2019

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA
APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF PACIFICA AND
STEPHEN JOHNSON PHOTOGRAPHY FOR THE PREMISES LOCATED AT 1220-C LINDA
MAR BOULEVARD (LOCATED IN THE PACIFICA CENTER FOR THE ARTS FACILITY) AND
FINDING THE LEASE CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (“CEQA”).**

WHEREAS, City is the owner of the property located at 1220 Linda Mar Boulevard, Pacifica, California, depicted on Exhibit A attached hereto (“Premises”); and

WHEREAS, Stephen Johnson Photography has leased the Premises located on this property for 15 years, functioning as an upscale photography studio, gallery and teaching facility; and

WHEREAS, Stephen Johnson Photography wishes to continue to lease the Premises from the City for another year, with two options to extend for additional one year terms (for a total of three years); and

WHEREAS, the City desires to implement a new Tenant Lease Agreement with Stephen Johnson Photography for use of the Premises.

**NOW, THEREFORE, THE PACIFICA CITY COUNCIL HEREBY RESOLVES AS
FOLLOWS:**

1. The City Council hereby finds that the Lease is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to the statute (Public Resources Code Section 21000, et seq.) and the CEQA Guidelines (14 Cal. Code Regs. 15000 et. seq.), under Section 15301 as a Class 2 Categorical Exemption as there will be no expansion of previous use beyond that existing at the time of the City’s determination.
2. The City Council hereby approves the Tenant Lease Agreement with Stephen Johnson Photography in substantially in the same form attached hereto as Exhibit B.
3. The City Manager is hereby authorized to execute the Tenant Lease Agreement in the form attached hereto as Exhibit B, with minor revisions that may be approved by the City Manager and City Attorney, and to execute any other necessary documents to effectuate the terms of the Tenant Lease Agreement and take all steps necessary to carry it into effect.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on October 28, 2019 by the following vote of the members thereof:

AYES, Councilmembers: Vaterlaus, Martin, O'Neill, Beckmeyer, Bier.

NOES, Councilmembers: None.

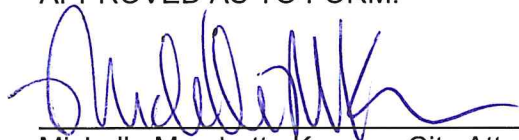
ABSENT, Councilmembers: None.

ABSTAIN, Councilmembers: None.



Sue Vaterlaus, Mayor

APPROVED AS TO FORM:



Michelle Marchetta Kenyon, City Attorney

ATTEST:



Sarah Coffey, City Clerk

Exhibit A
LEGAL DESCRIPTION OF PROPERTY

Real property in the City of Pacifica, County of San Mateo, State of California, described as follows:

PARCEL I:

Being a portion of the lands described in Parcel I of the Deed from Armando Barsotti, et al., to Sterling Terrace Corporation, recorded November 16, 1953 in Volume 2499 of Official Records at Page 245, Records of San Mateo County, described more particularly as:

BEGINNING at the Southwesterly corner of Lot 8, Block 5, all as shown on that certain map entitled, "TRACT NO. 700, LINDA MAR NO. 11, SAN MATEO COUNTY, CALIFORNIA", recorded December 9, 1954 in Volume 40 of Maps at Pages 39 and 40, Records of San Mateo County, said point also lying on the Southerly line of above mentioned Parcel I in the Deed from Barsotti to Sterling; thence leaving said Point of Beginning, and said Linda Mar No. 11, and running along said Southerly line of lands of Sterling, North $74^{\circ} 01' 30''$ West 210.03 feet to the most Westerly corner of said lands of Sterling, said Westerly corner also lying on the common boundary of said lands of Sterling and the lands described in the Deed from Gabriel and Frances Malavear, to C.J. Grieder, recorded November 26, 1952 in Book 2332 of Official Records at Page 577, Records of San Mateo County, thence leaving said Westerly corner along said common boundary North $33^{\circ} 45' 15''$ East 745.30 feet to the Southwesterly line of Linda Mar Boulevard, said line also being the boundary of said Linda Mar No. 11; thence leaving said common boundary of Grieder and Sterling along the Southwesterly line of said Linda Mar Boulevard and said boundary of Linda Mar No. 11, as shown on said Map of Linda Mar No. 11, Easterly on a curve to the right from a tangent bearing South $34^{\circ} 43' 46''$ East with a radius of 830 feet, a central angle $2^{\circ} 43' 46''$, an arc length of 39.54 feet; thence tangent to the last mentioned curve South 32° East 36.52 feet, thence tangent to the last mentioned course on a curve to the left having a radius of 435 feet, a central angle of $17^{\circ} 52' 02''$, an arc length of 136.65 feet; to the most Northerly corner of Lot 1, block 5, as shown on said map of Linda Mar No. 11; thence leaving said Southwesterly line of Linda Mar Boulevard and continuing along said boundary of Linda Mar No. 11, South $33^{\circ} 44' 15''$ West 615.13 feet to the Point of Beginning.

PARCEL II:

BEGINNING at a point in the Northwesterly boundary line of the lands shown on the Map of part of The San Pedro Rancho forming the Mahoney Interest filed June 25, 1879 in book "A" of Maps at Page 56, and a copy entered in Book 1 of Maps at Page 25, said point being distant North 29° 45' West 956.40 feet and North 34° 45' East 475.46 feet from an iron pipe set in the most Southerly corner of Lot 12 shown on the Map above mentioned; thence leaving said Northwesterly boundary line, North 45° 24' West 328.06 feet; thence North 34° 45' East 810.31 feet to the Southwesterly line of San Pedro Valley Road; thence along the Southwesterly line of San Pedro Valley Road, South 45° 26' East 269.01 feet and South 27° 45' East 65.57 feet to the above mentioned Northwesterly boundary line of the lands shown on the Map above mentioned; thence along the last mentioned line, South 34° 45' West 790.28 feet to the point of beginning.

EXCEPTING THEREFROM property conveyed by deed from C. J. Grieder, et ux., to County of San Mateo, dated October 28, 1954 and recorded in the office of the County Recorder, San Mateo County on January 21, 1955 in Book 2730 of Official Records at page 86, described as follows:

BEGINNING at a point which is the most Northerly corner of said tract of land; thence from said point of beginning along the Northwesterly line of said tract South 33° 44' 15" West 30.36 feet; thence leaving said Northwesterly line South 55° 59' 45" East 22.46 feet; thence on the arc of a curve to the right, tangent to the last mentioned course, said curve having a radius of 830.00 feet and a central angle of 21° 15' 59" a distance of 308.07 feet to the Southeasterly line of said tract; thence along said Southeasterly line North 33° 44' 15" East 12.24 feet to the Northeasterly boundary line of said tract which line is also the Southwesterly line of the Pedro Valley Road, County Road No. 61; thence along the Northeasterly line of said tract North 28° 45' 45" West 65.57 feet and North 46° 26' 45" West 269.01 feet to the point of beginning.

PARCEL III:

Being a portion of the lands described in the Deed from Emilio P. Lombardi to John G. Castagnetto and Esther Castagnetto, his wife, recorded April 15, 1949 in Book 1649 of Official Records of San Mateo County at Page 150 (85745-H), more particularly described as follows:

BEGINNING at a point on the Southeasterly boundary line of the subdivision as shown on the Map entitled, "TRACT NO. 693 LINDA MAR NO. 9, SAN MATEO COUNTY, CALIFORNIA", which Map was filed in the office of the Recorder of the County of San Mateo, State of California on July 21, 1954, in Book 39 of maps at Pages 38 and 39, said point being distant thereon South 33° 44' 15" West 8.73 feet from the most Southerly corner of Lot 40, Block 4, as said Lot and Block are designated on the above mentioned Map of Linda Map No. 9; thence from said point of beginning along said Southeasterly boundary line and its

prolongation Northeasterly North 33° 44' 15" East 243.16 feet to the Southwesterly line of that certain 3.0911 acre tract of land conveyed to Laguna Salada Elementary School District by Deed dated March 10, 1955 and recorded August 19, 1955 in Book 2860 of Official Records of San Mateo County at Page 218 (78660-M); thence Southwesterly along said Southwesterly line South 74° 01' 30" East 10.50 feet; thence leaving said Southwesterly line South 33° 44' 15" West 245.47 feet; thence North 61° 21' 15" West 10.04 feet to the point of beginning.