

RESOLUTION No. 209733

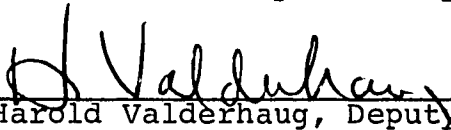
Adopted on JAN 24 1974

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

That Council Policy 700-9, entitled "Leases to Non-Commercial, Non-Profit Organizations and/or Clubs in Mission Bay Park" be, and it is hereby amended as set forth in the form of Council Policy 700-9 on file in the office of the City Clerk as Document No. 746201.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby instructed to replace existing policy 700-9 with the aforesaid amended policy in the Council Policy Manual.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold Valderhaug, Deputy

nr/1-22-74
(rev.)

PROPOSED COUNCIL POLICY 700-9
LEASES TO NON-COMMERCIAL, NON-PROFIT ORGANIZATIONS,
AND/OR CLUBS IN MISSION BAY PARK

BACKGROUND

It has been the practice of the City of San Diego to permit the formation of organizations within Mission Bay which are dedicated to developing and maintaining an active program of certain types of aquatic sports.

A practical method of such permission is to provide a location upon which appropriate facilities can be constructed by the organization in order to furnish needed services and a focal point for such programs.

PURPOSE

The purpose of this policy is to establish standards for leasing Mission Bay Park property to non-profit organizations, which are to further certain aquatic activities.

POLICY

The policy of the City of San Diego in connection with the leasing of Mission Bay Park land by non-commercial, non-profit organizations and/or clubs who are supported financially by the members using the facilities, shall be as follows:

1. In recognition of the services performed for the general good of Mission Bay and the City of San Diego by the organizations described above, which services cannot properly be handled by commercial enterprises, a rent somewhat less than commercial rates is justified. The amount of rent should reflect a proper relationship to the value of Mission Bay land, to the change in the economic level of the City of San Diego, to the degree of service performed by the lessee, and to the accomplishment of the intent and purposes for which the lease is let.
2. Organizations as described above, will only be considered if their activities fall within general Mission Bay policies and providing that the major activity or activities are those which cannot be furnished by commercial enterprise. Prices charged to members of the organization for services which compete with services offered by commercial enterprise shall be comparable to the prices charged by commercial enterprise. Such services shall be offered only if it is a function necessary to the operation of the facilities.
3. Groups of this type must be incorporated as a non-profit organization under the laws of the State of California and must qualify as such under the statutes of the State of California and the Federal Department of Internal Revenue.

POLICY (Continued)

4. A regular schedule of competitive events involving the major purpose for which the lease is granted shall be conducted with the organization itself and with other similar organizations. In order to facilitate this competition and give it status, the lessee must maintain membership in leading California and/or national groups dedicated to furtherance of the major purpose of the lease.
5. If an organization meets the above listed criteria, the rental rate shall be 50% of the average total annual commercial square foot rent paid for leases in Mission Bay Park attributing the rent to the total land and water area under lease. The lease would be reviewed at 2½ year intervals and adjusted based on the actual total annual commercial rent paid to City during the immediately preceding calendar year.

It is intended that the following groups should be excluded from the rental rate established by this policy:

- a) Youth Sports Organizations (such as Little Leagues, etc.) utilizing Robb Field and the Mission Bay Athletic Area. Council Policy 700-3 to provide guidance on leases to such organizations.
 - b) Educational Institutions (such as San Diego State University and University of California at San Diego) providing rowing and other aquatic programs in Mission Bay Park.
 - c) Pacific Beach Tennis Club providing tennis programs at the Mission Bay Athletic Area.
6. Leases will be written for a term of years sufficient to obtain financing and to amortize the investment in accordance with reasonable investment practices. Leases will provide for adherence to the criteria established in this policy.

Adopted by Resolution #169953 3/15/62
Amended by Resolution

ASPI & MAL

Passed and adopted by the Council of The City of San Diego on **JAN 24 1974**,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By *Zplanda Limon*, Deputy.

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Office of the City Clerk, San Diego, California	
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