

RESOLUTION NO. 213402

R-75-870
R-75-871

MAY 29 1975

WHEREAS, the City Council is currently considering the matter of an option to lease agreement with LION PROPERTY COMPANY for the purpose of construction, operation and maintenance of a commercial and light industrial office complex on Lots 6 and 7, Montgomery Field; and

WHEREAS, it is the Council's policy that long term leases such as the one proposed should be offered to the general public so that the City can derive the highest possible return; and

WHEREAS, it has been determined that the proposed offer by Lion Property Company be placed before the general public with a solicitation that any interested developer submit an overbid offer for the proposed lease, which overbid offer must provide a greater return to the City than that proposed in the option to lease offer by Lion Property Company contained in that certain form of option agreement on file in the office of the City Clerk as Document No. 751521;

NOW, THEREFORE,

BE IT RESOLVED, that the City Manager be and he is hereby directed to accept and hold in abeyance the offer of LION PROPERTY COMPANY relating to an option to lease Lots 6 and 7 at Montgomery Field for the purpose of construction, operation and maintenance of a commercial and light industrial office complex under the terms and conditions contained in the form of Option to Lease Agreement on file in the office of the City Clerk as Document No. 751521, during period of solicitation for new bids.

BE IT FURTHER RESOLVED, that the City Manager is authorized and directed to publicly advertise through a newspaper of general publication and communicate via direct contact with all potential developers and local broker's organizations regarding the availability of Lots 6 and 7, Montgomery Field, for lease and solicit proposals for options to lease said Lots 6 and 7, pursuant to the provisions of Council Policy 700-10.

BE IT FURTHER RESOLVED, that the public solicitation for offers shall indicate that all such offers must be received on or before the fortieth day after the adoption of this resolution.

BE IT FURTHER RESOLVED, that all such potential lessors and brokers shall be informed that the City Manager will consider any proposal from a responsible bidder which provides for a return to City of at least five percent greater than the return proposed under the lease negotiated with Lion Property Company.

BE IT FURTHER RESOLVED, that such overbid information shall be available to existing and potentially interested bidders so that appropriate additional overbids may be formulated and submitted to City.

BE IT FURTHER RESOLVED, that in the event responsible overbids, as determined by the City Manager, are received in response to solicitations providing a greater return to the City as set forth hereinabove, the City Manager is directed to make recommendations thereupon to the Council for further appropriate action.

BE IT FURTHER RESOLVED, that:

1. In the event no responsible bid providing a greater return to the City as set forth hereinabove is

received by the City within the time period established, the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, the Option to Lease Agreement with LION PROPERTY COMPANY, a partnership, hereinabove accepted and held in abeyance, for the purpose of construction, operation and maintenance of a commercial and light industrial office complex on City-owned land known as Lots 6 and 7, Montgomery Field, Lot 6 valued at \$268,500 and Lot 7 valued at \$274,000 as determined by an independent fee appraiser, under the terms and conditions set forth in the form of Option to Lease Agreement on file in the office of the City Clerk as Document No. 751521.

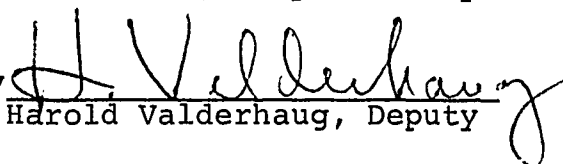
2. The City Manager be authorized and empowered to execute, for and on behalf of The City of San Diego, a Lease Agreement with LION PROPERTY COMPANY after all option terms and conditions have been performed and the option has been exercised, which ^{form of} lease agreement is on file in the office of the City Clerk as Document No. 751522.

HOV

3. It be and it is hereby certified that the information contained in the Environmental Impact Report on file in the office of the City Clerk as E.Q.D. No. 73-10-1029P has been completed in compliance with the California Environmental Quality Act of 1970

and the State guidelines pursuant thereto, and
that said Environmental Impact Report has been
reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold Valderhaug, Deputy

JK:HOV:nr 731
5-28-75 (Rev.)
Or. Dept. Property

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213402

MAY 29 1975

Passed and adopted by the Council of The City of San Diego on _____, 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Floyd L. Morrow | <input type="checkbox"/> | <input checked="" 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"/> |
| Jess D. Haro | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Pete Wilson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

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

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

By *Patricia Polen*, Deputy.

(Seal)

RECEIVED
MAY 29 1975
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **213402** Adopted **MAY 29 1975**