

217729

RESOLUTION NO. _____

FEB 16 1977

WHEREAS, on January 4, 1977, the Transportation and Land Use Committee considered R-77-403 which would have accepted the offer from the Escondido Auto Park, Inc., for the purchase of 50 acres of land owned by The City of San Diego and located at the intersection of I-15 and Via Rancho Parkway within the limits of the City of Escondido; and

WHEREAS, prior to and during the January 4, 1977 meeting, considerable public opposition to the sale was expressed, including more than 50 letters, petitions from approximately 800 individuals, and personal testimony, and the primary reason for the opposition appeared to be that although The City of San Diego had advertised the parcel for commercial purposes, both the current zoning and the Escondido General Plan designated the area for low density residential; and

WHEREAS, in recognition of this opposition, Mr. John Mamaux, representing the Auto Park, withdrew the offer to purchase and the Transportation and Land Use Committee unanimously voted to return the matter to the City Manager with the further instructions that no offers to purchase or lease are to be processed for a period of one year, with the exception of offers from the City of Escondido; and

WHEREAS, this one-year moratorium on private offers was for the purpose of having the City of Escondido resolve the basic land

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use issue without the outside pressures of sales or leases contingent upon Escondido General Plan and zoning amendments; and

WHEREAS, on January 10, 1977, the Mayor and Council received a letter from the Mayor of Escondido expressing that City's offer to purchase or lease on a long-term basis the subject parcel for the nominal sum of \$1.00; "Such purchase or long-term lease would be subject to Escondido's retention of the land in an open space or park status in perpetuity."; and

WHEREAS, On January 25, 1977, the Transportation and Land Use Committee considered this offer and at that time the Manager and City Attorney informed the Committee that because the land was owned by the Utilities Department and, as such, is considered security for utility bonds, the parcel could only be sold at less than fair market value if other non-Utility revenue sources were used to reimburse the Utilities Funds for the difference between the amount of the sale and the fair market value; and

WHEREAS, the Transportation and Land Use Committee thus recommended by a 4-0 vote (District 8 excused) that the full Council direct the City Manager to communicate to the City of Escondido the fact and the reasons why the offer is considered unacceptable; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and directed to communicate to the City of Escondido that the above described

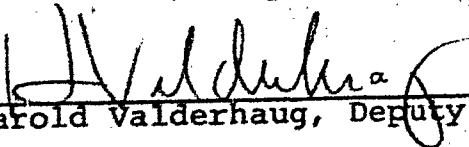
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50 acres of land may not be sold for less than its fair market value and that the offer of the City of Escondido is unacceptable.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold Valderhaug, Deputy

HOV:n
2-3-77
Or. Dept. T&LU Committee

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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 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"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input 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 *Kathleen M. ...* Deputy.

(Seal)

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Resolution Number **217729** Adopted **FEB 16 1977**

Number _____ Adopted _____ *EW*

CC-1276 (REV. 12-76)

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