

(R-81-2330)

RESOLUTION NUMBER R- 254651

Adopted on JUL 20 1981

RESOLUTION AMENDING COUNCIL POLICY NO. 700-12 REGARDING
LEASES TO NONPROFIT ORGANIZATIONS OUTSIDE OF BALBOA PARK
AND MISSION BAY PARK

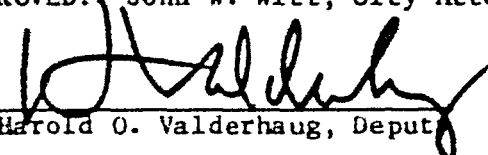
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Council Policy No. 700-12 entitled, "Leases to Nonprofit Organizations Outside of Balboa Park and Mission Bay Park" be and it is hereby amended and retitled "Disposition of City Property to Nonprofit Organizations," as set forth in the Council Policy filed in the office of the City Clerk as Document No. RR- 254651 .

BE IT FURTHER RESOLVED, that the City Clerk is hereby instructed to add the aforesaid to the Council Policy Manual.

BE IT FURTHER RESOLVED, that Resolution No. R-251957 adopted June 3, 1980, be and the same is hereby rescinded.

APPROVED: John W. Witt, City Attorney

By 
Harold O. Valderhaug, Deput

HOV:ps:011.1
6/5/81
Or.Dept: Prop.
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COUNCIL POLICY

SUBJECT LEASES-TO-NONPROFIT-ORGANIZATIONS-OUTSIDE-OF-BALBOA PARK-AND-MISSION-BAY-PARK	POLICY NUMBER	EFFECTIVE DATE	PAGE
DISPOSITION OF CITY PROPERTY TO NONPROFIT ORGANIZATIONS	700-12	-6-3-80	-1- OF -2-

BACKGROUND

On May 1, 1980, the PF&R Committee approved the attached proposed Council Policy relative to the leases to nonprofit organizations outside Balboa Park and Mission Bay Park.

ADDED

It has been the City's practice to lease and to permit the use of City property, both improved and unimproved, by various nonprofit organizations at less than fair market rents for the purpose of providing recreational, educational and cultural enrichment and other services to the citizens and visitors of San Diego. In recent years, the availability of the real estate resources has become increasingly limited due to increased demands for other public uses and the need to sell property to meet growing fiscal obligations. It is, therefore, necessary to reconsider these leasing practices and, also, to determine what the City's position should be, not only as to leases, but, also, as to sales of City property to nonprofit organizations.

DOCUMENT NO. Re-254651FILED JUL 20 1981PURPOSE

The purpose of this policy is to establish guidelines for the leasing disposition of City-owned property to community-based, nonprofit organizations at less than fair market value in areas other than Balboa Park and Mission Bay Park.

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIAPOLICY

It is the policy of the City Council that all such leases shall comply with the following basic conditions:

- a. Leases shall be authorized by City Council prior to negotiation.
- b. Lessees shall be incorporated as nonprofit organizations under the laws of the State of California. (Restated as Item 7)
- c. Lease uses shall provide desired cultural, educational and/or social public services to the general public without discrimination as to national origin, race, creed, sex or age. Further, said leases shall provide that all costs of improvements and operation shall be borne by the lessee, and such leases shall permit revenue producing activities as far as possible to provide some measure of rental compensation to the City. (Restated as Items 6, 9, and 10)

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
LEASES TO NONPROFIT ORGANIZATIONS OUTSIDE OF BALBOA PARK AND MISSION BAY PARK - DISPOSITION OF CITY PROPERTY TO NONPROFIT ORGANIZATIONS	700-12	6-3-80-	1- OF 2-

It shall be the policy of the City Council of the City of San Diego to allow direct negotiation with nonprofit organizations for the use of City-owned lands for the purpose of providing the community with cultural, recreational, educational enrichment, and other public services to the citizens and visitors of San Diego. Relative to this policy, the following criteria shall apply:

1. Available City property shall be leased at fair market value to nonprofit organizations when it is deemed by Council that appropriate public benefit will be derived.
2. The only discount in the land rental rate which will be considered is that which will be a direct offset to City expenditures. An example would be where the nonprofit organization is constructing and operating a facility to provide a service that would otherwise be a recognized obligation of the City to provide.
3. Prospective lessees shall provide a general development plan and detailed financial statement showing ability to successfully finance the construction and operation of the proposed development.
4. Council approval of a prospective nonprofit organization's use of City-owned land shall be obtained prior to commencement of lease negotiations.
5. No lease will become effective until firm financial commitments have been obtained under an appropriate lease option arrangement.
6. Lessees will be required to construct, operate, and maintain the premises at their sole cost.

ADDED

COUNCIL POLICY

SUBJECT

LEASES-TO-NONPROFIT-ORGANIZATIONS-OUTSIDE-OF-BALBOA-PARK-AND-MISSION-BAY-PARK-DISPOSITION OF CITY PROPERTY TO NONPROFIT ORGANIZATIONS

POLICY NUMBER

700-12

EFFECTIVE DATE

6-3-80

PAGE

1 OF 2

ADDED

- 7. Lessees shall be incorporated or nonprofit organizations under the laws of the State of California.
- 8. Development on parklands shall be in conformance with City park development plans, and construction shall comply with City park design criteria.
- 9. Lessees shall provide desired services and facilities to the general public without discrimination as to race, color, creed, sex, age, or national origin.
- 10. When leases permit revenue producing activities, some measure of rental compensation shall be paid to the City.
- 11. Property may be sold to nonprofit organizations if deemed appropriate by Council, and then only at fair market value.
- 12. Properties with significant potential for commercial, industrial, or scientific research uses shall not be available for nonprofit use.

~~Those leases where revenue is not possible shall provide for an annual fee to cover City's administrative costs. Further, where the property is not required for any City purpose, as determined by the City Manager and Council, and is not revenue producing, the property may be offered for sale to the lessee at fair market value with Council approval.~~

~~It is intended that all organizations which comply with Council Policy Nos. 700-3, Use of City owned Land by Youth Sports Organizations; 700-4, Balboa Park Leases and Rentals; 700-9, Leases to Non-Commercial Nonprofit Organizations and/or Clubs in Mission Bay Park, and short term leases in accordance with Council Policy 700-10, shall be exempt from this policy.~~

ADDED

OTHER INFORMATION:

The following related Council Policies are additional requirements for the use of specific properties, except as otherwise noted. It is not intended that the requirements of these policies be waived by this policy.

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
LEASES-TO-NONPROFIT-ORGANIZATIONS-OUTSIDE-OF-BALBOA-PARK-AND-MISSION-BAY-PARK-	700-12	6-3-80--	1- OF-2-
DISPOSITION OF CITY PROPERTY TO NONPROFIT ORGANIZATIONS			

ADDED

Council Policy No. 700-3, Use of City Land by Youth Sports Organizations

Council Policy No. 700-4. Balboa Park Leases and Rentals

Council Policy No. 700-9, Leases to Noncommercial Nonprofit Organizations and/or Clubs in Mission Bay Park

Short-term leases negotiated in accordance with Council Policy 700-10 are exempt from this policy

Adopted by Resolution No. 169955 3/15/62 (Title: Lease Negotiation)
 Repealed by Resolution No. 212957 4/4/75
 Adopted by Resolution No. 251957 6/3/80

REFERENCE

Municipal Code Sec. 22.0901

Council Policy 700-11 - Policy on Certain Properties Leased to Non-Commercial Nonprofit Organizations

Council Policy 700-41 - Use of the RFP Process for Lease of City-owned Land
 Assigned responsibility - Property Department

NONPROFIT LEASES AND AGREEMENTS

<u>Organization</u>	<u>Use</u>	<u>Property Descriptions</u>	<u>Year of Agreement/Term</u>	<u>Compensation to City</u>	<u>Remarks</u>
1. Adler Soaring Group	Glider Operation	20,000 Sq. Ft. Brown Field	1980/2 yrs.	\$120/yr.	
2. Associated Students & Faculty - S.D.S.U. & U.C. Santa Clara	Collegiate Recreational Aquatic Sports Programs	Boat House - 21,000 sq.ft. Santa Clara Point	1975/25 yrs.	20/yr.	\$500 for term pd. Adv.
3. Balboa Senior Baseball League	Youth Sports Organization	Approx. 2 acres Mt. Acadia - Clairmont Park	1981/1 yr.	-0-	
4. Barrio Station, Inc.	Barrio/Logan Youth Center	Newton and Sampson Streets	1979/10yrs.	-0-	
5. Beach Area Community Clinic	Community Services Clinic	2947 sq. ft. bldg. at 3690 Mission Blvd.	1978/10 yrs.	600/yr.	
6. Beach Area Community Clinic	Medical and Social Service Facility for Elderly and Low-income Residents	7200 sq. ft. at 3705 Mission Blvd.	1977/10 yrs.	1/Term	
7. Black Mountain Pony League	Youth Sports Organization	Approx. 2 acres North of Lake Murray	1981/1 yr.	-0-	
8. Boys' Club, Inc.	Boys' Club Headquarters	1.90 acres - La Binda Park	1949/42 yrs.	100/yr	
9. Boys' Club of San Diego	Boys' Club Headquarters	3.05 acres - Linda Vista Park	1954/50 yrs.	50/yr.	
10. Cabrillo Little League	Youth Sports Organization	Approx. 4 acres - Murray Ridge Road	1981/1 yr.	-0-	

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NONPROFIT LEASES AND AGREEMENTS
(Continued)

<u>Organization</u>	<u>Use</u>	<u>Property Descriptions</u>	<u>Year of Agreement/Term</u>	<u>Compensation to City</u>	<u>Remarks</u>
11. Centro Culturo de la Raza	Headquarters of Centro Culturo de la Raza	9750 sq. ft. Bldg. #671 Balboa Park	1980/5 yrs.	\$ 2,400/yr.	
12. Civil Air Patrol	Search and Rescue Headquarters	7,954 sq. ft. Bldg. Brown Field	1980/5 yrs.	1/Term	
13. Clairemont Bobby Sox	Youth Sports Organization	Approx. 2 acres - Mt. Acadia & Mt. Abbey	1981/1 yr.	-0-	
14. Covles Mountain Little League	Youth Sports Organization	Approx. 2 acres North of Lake Murray	1981/1 yr.	-0-	
15. Del Cerro Little League	Youth Sports Organization	Approx. 2 acres Airoso & Adelante Avenues	1981/1 yr.	-0-	
16. East San Diego Nutrition Center	Nutrition Center	4290 Polk Avenue	1979/yr.	1/yr.	
17. Elementary Institute of Science	Teaching Science to Elementary School Children	1300 sq. ft. residence at 608-51st Street	1980/10 yrs.	1/Term	
18. Girls' Club of San Diego	Girls' Club Headquarters	40,000 sq. ft. - Por. La Binda Park	1958/50 yrs.	50/yr.	
19. Girl Scout Council of San Diego County	Girl Scout Headquarters	10.5 acres - Por. of Balboa Park	1955/50 yrs.	1/yr.	

NONPROFIT LEASES AND AGREEMENTS
(Cont Inixed)

<u>Organization</u>	<u>Use</u>	<u>Property Descriptions</u>	<u>Year of Agreement/Term</u>	<u>Compensation to City</u>	<u>Remarks</u>
20. Hollins Lake Senior Recreation Facility, Inc.	Recreational Fishing Facility	65 acres - Por. Tract T&C, Rancho El Cajon	1980/5 yrs.	\$ -0-	Permit
21. House of Hospitality Assn., Inc.	Social, Cultural and Educational Center	House of Hospitality Bldg. 21,830 sq.ft.; Cafe Del Rey Moro, Por. of Balboa Park	1978/mo./mo.	2,400/yr.	Operating Agreement - Cafe Del Rey Moro is subleased with percentage rent to House of Hospitality.
22. House of Pacific Relations	Cultural Heritage Facility for Various National and Racial Groups	Bldg. 634 & 15 cottages - 12,296 sq.ft. - Por. of Balboa Park	1974/5 yrs.	2,184/yr.	
23. La Jolla Town Council	Office Space	600 sq.ft. Bldg. Space - 7877 Herschell	1979/mo./mo.	3,600/yr.	Permit
24. Los Ninos	Youth Activities with Dormitory	Bldg. 2052 Brown Field	1978/2 yrs.	7,200/yr.	
25. Mid-City Community Clinic	Medical Service Clinic	21,000 sq.ft. - 4290 Polk Avenue	1979/10 yrs.	1/Term	
26. Mission Bay Yacht Club	Yacht Club	11.75 acres - Por. Mission Bay	1961/50 yrs.	19,315/yr.	Rent established by Council Policy 700-9.
27. Mission Village Little League	Youth Sports Organization	Approx. 8 acres - Aero Dr. & Ruffin Road	1981/1 yr.	-0-	
28. Northeastern Little League	Youth Sports Organization	Approx. 1 acre adjacent San Diego Stadium	1981/1 yr.	-0-	
29. Old Globe Theatre	Outdoor Theatre Productions	North of Fine Arts Gallery, Balboa Park	1978/3 yrs.	-0-	Permit
30. Pioneer Hook & Ladder	Firehouse Museum	Cedar and Columbia Streets	1980/5 yrs.	1,200/yr.	

NONPROFIT USES AND AGREEMENTS
(Continued)

<u>Organization</u>	<u>Use</u>	<u>Property Descriptions</u>	<u>Year of Agreement/Term</u>	<u>Compensation to City</u>	<u>Remarks</u>
31. Presidio Little League	Youth Sports Organization	Approx. 1 acre - Hotel Circle Place	1981/1 yr.	\$ -0-	
32. R.B. Glass Recycling, Inc.	Glass Recycling Operation	7,500 sq. ft. Rancho Bernardo	1980/2 yrs.	-0-	
33. San Carlos Little League	Youth Sports Organization	Approx. 2 acres North of Lake Murray	1981/1 yr.	-0-	
34. San Diego Art Institute	Art Gallery	5400 sq. ft. - East Room of House of Cham - Por. of Balboa Park	1980/5 yrs.	1,320/yr.	
35. San Diego Consistory No. 91	Farming	13 acres - Por. of Mt. Hope Cemetery Lands	1980/3 yrs.	1/yr.	
36. San Diego County Council of Boy Scouts of America	Boy Scouts Headquarters	19.1 acres - Por. of Balboa Park	1957/50 yrs.	1/yr.	
37. San Diego County Council of Camp Fire Girls, Inc.	Camp Fire Girls Headquarters	6.13 acres - Por. of Balboa Park	1957/50 yrs.	1/yr.	
38. San Diego County Humane Society	Parking Facility	Approx. 1.16 acres at Sherman & Anna Streets	1978/22 yrs.	2,000/yr.	Parking Lot
39. San Diego County Humane Society	Animal Shelter	40,588 sq. ft. with concrete building & house	1951/49 yrs.	780/yr.	
40. San Diego Hall of Science	Operation of Space Theatre and Science Center	42,000 sq. ft. Space Theatre - Por. of Balboa Park	1972/yr./yr.	-0-	
41. San Diego Mission Bay Boat and Ski Club	Boat and Ski Club	4.005 acre of land & .252 acre of water - Por. of Mission Bay Park	1980/5 yrs.	15,553/yr.	Rent established by Council Policy 700-9.
42. San Diego Police Officers' Assn.	Police Department Cafeteria	Kettner and Market Streets 2500 sq. ft.	1979/yr./yr.	-0-	Permit

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NONPROFIT LEASES AND AGREEMENTS
(Continued)

<u>Organization</u>	<u>Use</u>	<u>Property Descriptions</u>	<u>Year of Agreement/Term</u>	<u>Compensation to City</u>	<u>Remarks</u>
43. San Diego Rowing Club	Rowing Club Facility	2000 sq. ft. - Santa Clara Pt. - Por. of Mission Bay	1979/2 yrs.	\$ 200.00/yr.	
44. San Diego Youth Baseball Council, Inc.	Youth Sports Organization	Approx. 4 acres - College Grove Drive	1981/1 yr.	-0-	
45. San Pasqual Academy	Dairy Operation	76.2 acres - San Pasqual Valley	1977/1 yr.	8,760.00/yr.	On Holdover
46. San Pasqual Union School District	Water Well	19,429 sq. ft. - Portion San Pasqual Valley	1978/INDEF.	-0-	Permit
47. San Pasqual Union School District	School Classrooms, playground, and single-family residence	9 acres - Por. San Pasqual Valley	1970/25 yrs.	1,360.00/yr.	
48. Seniors Marketing, Inc.	Food Distribution Center for senior citizens	5750 sq. ft. lot - 4704 College Avenue	1979/2 yrs.	1/Term	
49. Soledad Club	Womens' Club	2.42 acres - 5050 Soledad Road	1977/5 yrs.	1/Term	
50. Stagecoach Health Club, Inc.	Water Well	1200 sq. ft. of land for water well - Highway 94 near Barrett Junction	1962/25 yrs.		Reimbursement for taxes
51. Strongly Oriented for Action	Low-income rental housing	19,527 sq. ft. - Por. of La Jolla Park	1977/50 yr.	1/yr.	
52. Sunshine Little League	Youth Sports Organization	Approx. 2 acres Northeast of Federal Blvd.	1981/1 yr.	-0-	
53. U. N. Association	Civic Activities Organization with gift shop	1580 sq. ft. bldg. - Balboa Park	1980/3 yrs	1,899.96/yr.	

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NON-PROFIT LEASES AND AGREEMENTS
(Continued)

<u>Organization</u>	<u>Use</u>	<u>Property Descriptions</u>	<u>Year of Agreement/Term</u>	<u>Compensation to City</u>	<u>Remarks</u>
54. Y. M. C. A.	Y Community Center	5.25 acres - Cliffridge and Science Place	1964/50 yrs.	\$ 1/yr.	
55. Y. M. C. A.	Y Community Center	6.336 acres - Por. of De La Cruz Park - 40th and Landis Streets	1958/50 yrs.	1/yr.	
56. Y. M. C. A.	Y Community Center	3.09 acres - Valeta and Clow's Streets	1976/50 yrs.	10/yr.	\$500 for term pd. adv.
57. Y. M. C. A.	Proposed Y Community Center	Mission Valley- Friars Road	1980/50 yrs.	100/yr.	
58. Youth Enterprises, Inc.	Office space for corporate headquarters	240 sq.ft. - Por. of Bldg. 2002 - Brown Field	1978/2 yrs.	1,008/yr.	On Holdover
59. Youth for Progress, Inc.	Youth Center	5 acres Coronado & Beyer Blvd.	1976/no./mo.	1/Term	On Holdover
60. Zlac Pier Assoc.	Rowing Dock	Zlac Pier - Mission Bay	1979/5 yrs.	654.96/yr.	
61. Zoological Society of San Diego	San Diego Zoo	96.91 acres fenced, 25.92 acres parking, & 1.20 acres Zoo Education Bldg. and landscape	1969/INDEF.	-0-	Operating Agreement
62. Zoological Society of San Diego	Wild Animal Park	1800 acres San Pasqual Valley	1969/INDEF.	31,000/yr.	Operating Agreement

changed to 55

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Property Department
JEH/JW
May 18, 1981

Passed and adopted by the Council of The City of San Diego on JUL 20 1981,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By *Marjorie L. Fontaine*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-254651 Adopted JUL 20 1981