

(R-82-328)

RESOLUTION NO. R- 255014

SEP 15 1981

RESOLUTION AMENDING COUNCIL POLICY 700-10
REGARDING DISPOSITION OF SURPLUS CITY-OWNED
REAL PROPERTY.

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

That Council Policy No. 700-10 regarding disposition of
surplus City-owned real property be, and is hereby amended, to
delete the language in Section C.9 relating to audits and to
replace said language with the following:

C. Leasing

9. Audits-All percentage leases shall be
audited by the City Auditor and Controller
at least once every three years and more
frequently as appropriate. The City shall
reserve the right to audit all other leases
and agreements if determined warranted by
the City Auditor and Controller.

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

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug, Deputy

HOV:pc:011.1
8/26/81
Or.Dept:PFR-Councilman Cleator

02226

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
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GUIDELINES (Continued)C. Leasing (Continued)

8. Rental Terms (Continued)

c. (Continued)

adjusted to insure that the City will receive fair market rental or fair rental rate throughout the lease term.

- d. Minimum Rents - percentage leases will provide a minimum rent which shall be adjusted every three years to reflect 80% of the average annual rent actually paid during the preceding three years. In no event shall the adjusted minimum rent be less than the minimum rent in existence preceding the adjustment.

9. Audits - ~~all new and renegotiated leases shall contain a provision whereby the lessee shall cause to be provided, at no cost to the City, an annual audit by a certified public accountant or by public accountant licensed by the State of California. Such audit shall include a certification to the City that the lessee has complied with all the provisions of the lease, and that the rent due and payable to the City has been paid. The City Auditor and Comptroller shall provide the accountant with the audit guidelines necessary to perform the audit.~~

~~The City Auditor and Comptroller may waive the requirement for an audit if in his judgment there are circumstances that may create an undue hardship on the lessee.~~

~~The City reserves the right to audit the lessee's records if deemed warranted by the City Auditor and Comptroller.~~

D. Marketing

Competitive offers for lease or sale shall be solicited from the open market place. This may be accomplished through a number of marketing techniques such as requests for proposals (RFP), a marketing subscription system, direct advertising, exposure through the real estate media, such as the multiple listing service, posting the property and any other appropriate means.

E. Real Estate Broker's Fee

Real estate brokerage participation shall be encouraged to attract bona fide offers to lease or purchase City-owned property. The real estate broker's fee shall be paid in accordance with Municipal Code Section 22.0905. The City Council has the discretion to pay brokers' fees of up to 6%.

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Passed and adopted by the Council of The City of San Diego on _____
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California .

By Manuel L. Portocarrero, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-255014

Adopted

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