

RESOLUTION NUMBER R-257807

Adopted on January 17, 1983

WHEREAS, the Department of Intergovernmental Relations requested the various departments of the City, via memorandum dated September 7, 1982, to submit bill proposals for inclusion in The City of San Diego's 1983 Sponsorship Program; and

WHEREAS, the Rules Committee, on November 15, 1982 and December 6, 1982, reviewed various bill proposals submitted by the departments of the City; and

WHEREAS, after said review, the Rules Committee approved one proposal for introduction in the State Legislature and has recommended its adoption for inclusion in the City's Legislative Sponsorship Program; NOW, THEREFORE,

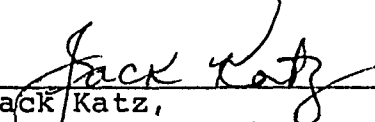
BE IT RESOLVED, by the Council of The City of San Diego, that the following legislative proposal, discussed in Attachment 1, affixed hereto, be and the same is hereby included in The City of San Diego's 1983 Legislative Sponsorship Program:

A proposal for Congress to allow the Department of Defense to acquire undeveloped land for future construction, provide that such acquisition does not remove from the market place, property located within areas targeted for economic revitalization unless approval is granted by the local jurisdiction which governs land use and economic development; to require that any construction program on federally-owned property be consistent with

local community and economic development plans, if applicable; and, to restructure the authority to purchase existing housing units. (Attachment 1.)

APPROVED: John W. Witt, City Attorney

By



Jack Katz,
Chief Deputy City Attorney

JK:smm
1/11/83
REV.1/24/83
Or.Dept:Mayor
R-83-1106
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CITY OF SAN DIEGO
1983 SPONSORSHIP PROGRAM

MILITARY HOUSING
(FEDERAL)

Proposal:

1) To allow the Department of Defense to acquire undeveloped land for future construction, and 2) to require that any construction program on federally-owned property be consistent with local community plans, if applicable, and 3) to restructure the authority to purchase existing housing units.

Source:

Councilmember Dick Murphy

Present Law:

The military's construction activities are appropriated annually by Congress after the Department of Defense (DOD) has been authorized to proceed with the project. Normally, separate Congressional appropriations are sought for site acquisition, housing construction, and for the provision of any necessary public services or facilities. However, there is no prohibition to acquiring the site and beginning construction within the same fiscal year.

Additionally, there is no law which requires military housing to conform to a local agency's general or community plan. However, DOD must "consult in writing with the Secretary of Housing and Urban Development as to the availability of suitable alternative housing" before entering into a contract for the construction of family housing units. Regulations written by the Secretary of Defense define "suitable alternative housing."

Discussion:

This year, for the first time, Congress authorized the acquisition of a housing site in Florida before the military needed it. DOD argued that development was encroaching on their preferred site so it was necessary to acquire the site before it was lost to civilian residential development. Councilmember Murphy desires to statutorily recognize this Florida case and make it applicable nationally if appropriate. In addition, he believes that purchasing undeveloped sites in advance of need would allow the military to use their dollars to acquire the best sites at the most attractive prices anywhere in the country in any particular fiscal year. Moreover, this program would tend to scatter sites throughout a community, thus enabling future housing to be disbursed geographically near existing public services. The House Armed Services Committee underscored this goal when they adopted the FY 82 Military Construction Authorization bill. Specifically, they stated:

"that all the services should endeavor whenever possible to avoid heavy concentration of military housing in a single area of a host community. Scattered siting when manageable better enables the military families to be assimilated into the community."

Finally, Councilmember Murphy argues that this type of effort furthers Council Policy 600-19 on "balanced" communities as well as the Housing Element of the General Plan which states "Assisted housing programs shall be targeted to avoid over-concentration according to the Intercommunity Fair Share Allocation."

The second portion of the proposal which requires military housing to be consistent with a community plan has more relevancy today than it did prior to 1981. Prior to this date, it was the policy of the Department of Defense to build public quarters outside urban areas. The rationale was that the civilian economy would provide housing for the military within urban areas. These units, of course, would be consistent with any underlying plan. In early 1980, DOD published new housing regulations which encouraged the services to look for excess federal property on which to build housing because private sector housing had become too expensive for military families. When military housing is constructed or concentrated on federal property, it can be built without regard to a community plan.

Currently if a community has any objection to the planned location of military housing on federal property, it must do so through the EIR process and hope that this will result in a cooperative effort to locate alternative housing sites. This technique was particularly responsible for the Navy acquiring housing units outside the Tierrasanta community.

This proposal would give a city the final say in determining the location of military housing. Some may argue it will be used as a tool to exclude the military from their communities.

The final portion of the proposal is intended to strengthen existing law. After determining the availability of alternative housing, the Secretary of Defense "may" acquire privately owned existing housing. These units may not be acquired by eminent domain and they must meet certain floor area requirements. Councilmember Murphy wants the military to "actively attempt to purchase existing units" without specifying how this should be achieved.

Issues:

- I. How far in advance of need should the military be allowed to acquire undeveloped property? Should they be required to develop a 5 or 10-year acquisition plan before being authorized to acquire undeveloped property? Does this proposed change conflict with the desire to strengthen the military's commitment to acquire existing units before receiving the authority to construct housing?
- II. Should a policy statement or scattered siting be added to the "Military Construction Codification Act" since an authorization bill terminates in a year?
- III. Should the Secretary's permissive authority to acquire existing housing be made mandatory? If not, should an RFP for acquisition be circulated and responded to prior to granting the military the authority to construct housing?

Recommendation:

Sponsor

00375
R-257807

Passed and adopted by the Council of The City of San Diego on JAN 17 1983,
 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"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Vacant

AUTHENTICATED BY:

BILL CLEATOR
 Deputy Mayor of The City of San Diego, California.

(Seal)

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

By *Barbara Burdige* Deputy.

Office of the City Clerk, San Diego, California

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