

RESOLUTION NUMBER R-276544

ADOPTED ON SEPTEMBER 17, 1990

WHEREAS, the City Council has previously designated the City property known as Site 13C as a parcel which should only be offered for lease; and

WHEREAS, the City Council has previously authorized the City Manager to negotiate a proposed lease of a portion of Site 13C with the San Diego Hebrew Day School; and

WHEREAS, the San Diego Hebrew Day School has requested that the City Manager be authorized to sell rather than lease all of Site 13C; and

WHEREAS, representatives of the Free Serbian Orthodox Church have requested the opportunity to negotiate for the use of the portion of Site 13C which is not needed for construction and operation of the San Diego Hebrew Day School; and

WHEREAS, the San Diego Hebrew Day School has suggested a potential exchange of a parcel of property known as Stevenson Canyon as part of the acquisition payment for Site 13C; and

WHEREAS, the Public Facilities and Recreation Committee on November 8, 1989, by a 5-0 vote recommended that the City Council approve the request of the San Diego Hebrew Day School; NOW THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to negotiate for the sale of Site 13C to the San Diego Hebrew Day School, and to, if feasible, provide for the use of a portion of

the property by the Free Serbian Orthodox Church; and


BE IT FURTHER RESOLVED, that the City Manager, as part of the negotiations, is hereby authorized to include a potential acquisition of the portion of Stevenson Canyon owned by the Hebrew Day School as part of the consideration for the acquisition of Site 13C.

BE IT FURTHER RESOLVED, that the following conditions shall apply to the proposed transaction:

1. That if the property is not utilized for school purposes within a period of three years, due to the fact that the area bears a 65-70 CNEL, the City has the first right to repurchase the property at a stated price; and upon repurchase, the City shall explore the feasibility of dedicating this property for open space.
2. That any portion of the property that Hebrew Day School does not plan to use shall not be sold to them, but shall be retained by the City of San Diego.
3. That Stevenson Canyon shall not be deemed a portion of the potential acquisition payment if this would preclude the City from repurchasing the property at a specified lower price.
4. That Hebrew Day School would be the primary purchaser.
5. That Hebrew Day School sign a release with regard to liability arising from noise-related events.

6. That a clause be put in the contract to the effect that Hebrew Day School has a thorough understanding of what they are purchasing.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Deputy City Attorney

HOV:skc:ps
12/06/89
09/24/90 REV.1
Or.Dept:Committee,PF&R
R-90-925
Form=r.none

SEP 18 1990

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *Brenda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

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