

(R-92-814)

RESOLUTION NUMBER R- 279055

ADOPTED ON NOV 26 1991

WHEREAS, in 1970 the City of San Diego and the County of San Diego entered into an agreement whereby Morena Reservoir was sold to the County for a total price of \$87,919; and

WHEREAS, the agreement contained a 25-year right of repurchase for the benefit of the City conditional upon the City's repaying the \$87,919 to the County; and

WHEREAS, the agreement further provided that in the event the City repurchased the property, the City would lease the property back to the County for the maximum term authorized by law under the same terms and conditions set forth in the 1970 agreement; and

WHEREAS, the City Manager recommends and the City Council finds that it is in the City's best interest to repurchase the Reservoir and surrounding property which consists of approximately 3,250 acres of land, roughly one-half of which comprises the Reservoir itself; and

WHEREAS, the 1970 agreement provided for the payment of certain evaporation losses by the County to the City; and

WHEREAS, there has been a dispute for several years with regard to the amount of evaporation losses; and

WHEREAS, the City Manager has recommended that the City accept the amount of \$87,919 as stipulated evaporation losses due, thereby exactly offsetting the amount the City is required

to pay to repurchase the property; and

WHEREAS, a lease agreement has been prepared pursuant to which the City will lease the property back to the County for a term of 99 years in consideration of the County's operating and maintaining a fishing, park and recreation area for the general public on the property and on the additional consideration and terms set forth in the lease agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Council hereby determines to repurchase the Morena Reservoir property from the County, and the City Manager is hereby authorized to accept a deed of the property from the County.


BE IT FURTHER RESOLVED, that the total evaporation losses payable to the City under the 1970 agreement are hereby determined to be \$87,919.

BE IT FURTHER RESOLVED, that the City agrees that said \$87,919 due the City by the County shall be offset against the same amount of money which is due to the County pursuant to the 1970 agreement as consideration for the repurchase of the property.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and empowered to execute a lease agreement with the County of San Diego which lease agreement provides for the leasing of the approximately 3,250 acres of land and water area to the County of San Diego for a term of 99 years with consideration as stated above and under the terms and conditions more particularly set forth in that lease agreement, a copy of

which is on file in the office of the City Clerk as Document No.
RR-279055.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Deputy City Attorney

HOV:ps
11/19/91
Or.Dept:Mgr.
R-92-814
Form=r-t

+5501

Passed and adopted by the Council of The City of San Diego on NOV 26 1991,
by the following vote:

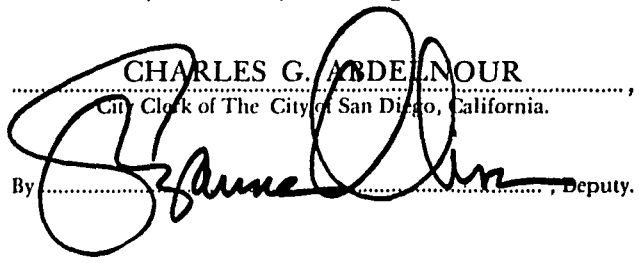
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John 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"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 , Deputy.

Office of the City Clerk, San Diego, California

Resolution R-279055 NOV 26 1991
 Number Adopted.....

RECEIVED
91 NOV 20 PM 1:43
CITY CLERK'S OFFICE
SAN DIEGO, CA