


(R-94-315)

RESOLUTION NUMBER R- 282762

ADOPTED ON OCT 11 1993

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized to issue a rent credit in the amount of \$64,000 to Mt. Royal Nursery, d.b.a. Evergreen Distributors, Inc., as described in the attached report to the Public Facilities and Recreation Committee.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Chief Deputy City Attorney

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08/25/93
Or.Dept:Prop.
Job:490001
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SEP 29 1993
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SAN DIEGO, CA

DATE ISSUED:

REPORT NO.

ATTENTION: PF&R Committee, Agenda of

SUBJECT: Rent Credit - Mt. Royal Nursery in San Pasqual Valley

SUMMARY

Issue - Should the City Manager be authorized to issue a rent credit in the amount of \$64,000 to Mt. Royal Nursery d.b.a. Evergreen Distributors, Inc.?

Manager's Recommendation - Authorize the City Manager to issue the rent credit.

Other Recommendations - None.

Fiscal Impact - The City received \$8,813.10 in rent in FY 93 with \$26,439.90 outstanding. Mt. Royal's minimum annual rent is \$35,253; therefore, the \$64,000 rent credit would amount to a credit against the FY 93 rent still due, and future rents until it is used up in approximately a year. A breakdown of the rent credit is attached.

BACKGROUND

Mt. Royal Nursery d.b.a. Evergreen Distributors, Inc., presently leases property in the San Pasqual Valley for nursery operations. In 1989 Council amended Mt. Royal Nursery's lease to delete 35 acres from its leased premises in order to site the San Pasqual Aquatic Treatment Facility (AQUA III).

Many design changes and landform alterations occurred during the first two years of construction of AQUA III. Three AQUA III buildings were moved in order to alleviate a negative visual impact, and this necessitated taking more Mt. Royal land. Mt. Royal Nursery's use of the area along with the relocation of buildings added to the landform impacts, affecting grade lines between the plant and leasehold. Heavy rains this past winter exacerbated landform impacts due to extreme siltation problems.

Mt. Royal Nursery was impacted directly and indirectly during construction of AQUA III when its irrigation piping and control wiring was broken at various locations and various times, and, when environmental issues resulted in design modifications that impacted Mt. Royal Nursery's lease land.

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The City Manager recommends that Mt. Royal Nursery be reimbursed in the form of a rent credit for direct and indirect impacts to its leasehold to improve drainage and siltation control to protect the plant site in the future, and to construct a joint-use road behind the site. The rent credit would amount to \$64,000. -

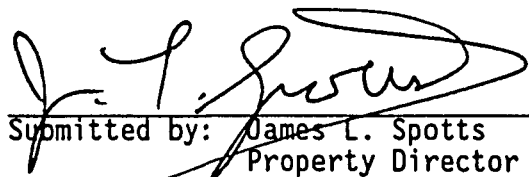
ALTERNATIVES

1. Reject the City Manager's recommendation to issue a \$64,000 rent credit.
2. Reimburse lessee in cash.

Respectfully submitted,



Approved: Coleman Conrad
Deputy City Manager



Submitted by: James L. Spotts
Property Director
(236-6144)

SPOTTS:CVS:jw(2)
DEPT:PROPERTY
8-9-93

Attachment: Rent Credit Breakdown

MOUNT ROYAL NURSERY
RENT CREDIT BREAKDOWN
JULY 14, 1993

1. Grass-Crete - The area above, and to the south, of the AQUA III facility needs siltation and drainage control measures over and above usual and customary practices in order to provide fail-safe protection. This work must be done in order to match up with the Black & Veatch brow ditch and down drain design. This will also provide an access road for the City to maintain the brow ditch.

6700 sqft of grass-crete @ \$5/sqft \$33,600

2. Pond - A pond installed by the lessee is to be utilized by the City to propagate mosquito fish for use in the hyacinth ponds. It would cost the City more than \$50,000 to construct a new mosquito fish pond on the AQUA III site.

Cost of improvements by lessee include grading and hauling of material, guniting of pond bottom, and, filling and drainage piping. \$10,000

3. Trees and plants - Due to the re-surveying and facility layout modifications (moving buildings to southwest corner of site from north side) additional trees needed to be relocated.

26 - 5' - Washington Robustus @ \$8/ft	\$ 1040
40 Olive and Goldenrain trees @ \$100 ea	4000
irrigation systems for the above	<u>1000</u>
	\$ 6040

4. Piping and wiring - During construction grading at various locations around the site irrigation piping and wiring were either destroyed, damaged, or caused the systems to be relocated. This occurred more than once at certain locations. The repair work had to be accomplished immediately because the events occurred during the dry season.

MATERIAL	1060ft - 3" pipeline @ \$3/ft	\$ 3180
	1720ft - 32v direct burial control wire	
	24 wire bundle @ \$2.40/ft	4128
	720ft - 115v wire @ \$0.10/ft	72
	185ft - poly tubing @ \$4/ft	740
	2 - 3" butterfly valves @ \$120 ea	240
LABOR	300 hours - Laborer @ \$12/hr	3600
	60 hours - Supervisor @ \$25/hr	1500
EQUIPMENT	2 days - Trencher @ \$150/day	300
	3 days - Grader @ \$200/day	<u>600</u>
		\$14,360
	Total \$64,000	

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OCT 11 1993

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"/>
George Stevens	<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"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
.....
Mayor of The City of San Diego, California.

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

By *Charles G. Abdelnour* Deputy.

Office of the City Clerk, San Diego, California

Resolution *R* - **282762** **OCT 11 1993**
Number..... Adopted

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