

ORDINANCE NUMBER O- 19370 (NEW SERIES)

ADOPTED ON MAY 03 2005

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 2, ARTICLE 2, DIVISION 9, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 22.0901 PERTAINING TO THE LEASING OF CITY-OWNED REAL PROPERTY.

Section 1. That Chapter 2, Article 2, Division 9 of the San Diego Municipal Code is amended by amending section 22.0901, to read as follows:

22.0901 **Leases of Real Property**

Except as otherwise provided in the Charter, or by ordinance, the Council shall have the power to lease the real property of the City as follows:

- (a) No real property belonging to the City shall be leased except in pursuance of a resolution passed by a majority vote of all members of the Council, which shall contain the following:
 - (1) The reason for leasing such real estate;
 - (2) A description of the real estate to be leased;
 - (3) A statement of the market value of such real estate as appraised by an independent fee appraiser or City staff
- (b) Nothing contained in this section shall be deemed to apply to any lease for a term of three years or less. The City Manager, at all times, shall have power, without advertising, notice, or competitive bidding, and upon such terms as he may deem proper, to lease any of the real property of the City

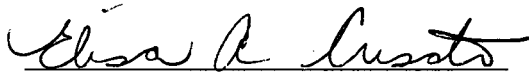
of San Diego for a term of three years or less provided, however, that no such lease, so made, shall be renewed without the approval of the Council.

- (c) Nothing contained in this section shall be deemed to apply to any lease for a *wireless communications facility*, as defined in section 113.0103, for a term of ten years or less. The City Manager, at all times, shall have power, without advertising, notice, or competitive bidding, and upon such terms as he may deem proper, to lease any of the real property of the City of San Diego for a *wireless communications facility*, as defined in section 113.0103, for a term of ten years or less, provided however, that no such lease, so made, shall be renewed without approval of the Council.
- (d) Rental agreements may be executed by the City Manager covering month-to-month tenant occupancy of City-owned residential housing or Brown Field Airport Incubator Industries and shall not be subject to the provisions of subparagraphs (a)(1) through (3) of this section, and occupancy of the facilities under such agreements may exceed three years without the approval of the Council.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Elisa A. Cusato
Deputy City Attorney

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