

RESOLUTION NUMBER R- 306760

DATE OF FINAL PASSAGE APR 28 2011

A RESOLUTION AUTHORIZING THE CITY OF SAN DIEGO TO ENTER INTO A 20-YEAR FLAT RATE LEASE WITH THE PINERY, LLC, FOR THE LEASE OF APPROXIMATELY 133.96 ACRES OF PUBLIC UTILITIES DEPARTMENT PROPERTY IN THE SAN PASQUAL VALLEY AGRICULTURAL PRESERVE.

WHEREAS, the proposed new 20-year lease will let an area of approximately 133.96 acres of Public Utilities Department property to The Pinery, LLC; and

WHEREAS, the management of The Pinery, LLC, purchased out of bankruptcy the nursery that was owned by the previous tenant of this leasehold area, and has maintained the leasehold area during current lease negotiations; and

WHEREAS, The Pinery, LLC, has begun a new era of specialized wholesale container nursery in the San Pasqual Valley Agricultural Preserve, utilizing an experienced team of employees, many of whom previously worked at the nursery that went bankrupt; and

WHEREAS, The Pinery, LLC, uses drip irrigation for water conservation and has best management practices in place for irrigation and storm water management; and

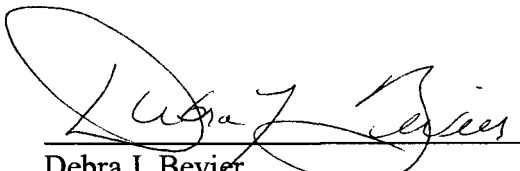
WHEREAS, The Pinery, LLC, is currently operating at 95% of total production, has 105 employees, and sold more than 750,000 plants to various retail locations throughout the United States during the 2010 holiday season; and

WHEREAS, The Pinery, LLC, will pay market rent for the leasehold premises. The lease will result in no cost to the City as all costs associated with the development, operation, and

maintenance of the nursery, including water development, is at the sole cost of the The Pinery, LLC; NOW, THEREFORE,

BE IT RESOLVED, that the Mayor, or his designee, is hereby authorized to enter into and execute a new 20-year Flat Rate Lease with The Pinery, LLC, for the purposes of operating a wholesale container nursery within the San Pasqual Agricultural Preserve.

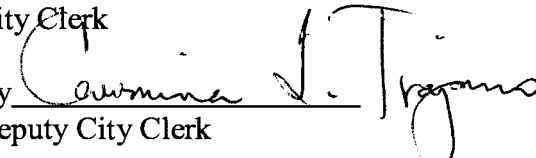
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Debra J. Bevier
Deputy City Attorney

DJB:mm
4/4/2011
Or.Dept:Real Estate Assets Dept.
PL#2010-01412

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 19 2011

ELIZABETH S. MALAND
City Clerk

By 
Carmine J. Triguero
Deputy City Clerk

Approved: 4.28.11
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor