

RESOLUTION NUMBER R- 309839

DATE OF FINAL PASSAGE JUL 28 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE LEASE SURRENDER AND TERMINATION AGREEMENT WITH THE YMCA OF SAN DIEGO COUNTY, TO TERMINATE THE LEASE FOR THE COPLEY YMCA AT 3901 LANDIS STREET, SAN DIEGO, CALIFORNIA.

WHEREAS, the City of San Diego (City) owns the community and recreational center property located at 3901 Landis Street, San Diego, California (Property); and

WHEREAS, since 1953 the City has leased the Property to the YMCA of San Diego County, a California nonprofit corporation (YMCA), most recently pursuant to that certain Lease Agreement effective October 1, 1995, and on file with the Office of the City Clerk as Document No. OO-18210 (Lease). The Lease is for a twenty five (25) year term, with an option to extend another twenty (20) years. Under the Lease the YMCA is to operate a community and recreational center at the Property and pay the City one dollar (\$1) annually; and

WHEREAS, the YMCA recently built and opened a new recreational and community facility at another property in City Heights, at Fairmount Avenue and El Cajon Boulevard. Based on the new facility, the YMCA represents that it can no longer staff and operate the facilities and activities at the Property. The YMCA therefore has asked to surrender its interests in the Lease and all its right to use and possession of the Property, and to terminate the Lease; and

WHEREAS, the City's Park and Recreation Department has a need for the facilities and improvements at the Property. The Department has plans to utilize the Property for public use, to meet identified community needs and to provide specialized services. The Department has access to certain state grant funds to finance the plans, but those funds currently expire June 2016; and

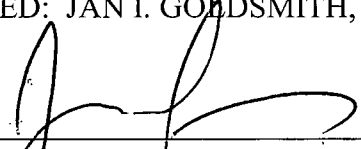
WHEREAS, City staff has negotiated a "Lease Surrender and Termination Agreement" to accomplish a surrender of the Lease and Property, including as to all improvements and fixtures, from the YMCA to the City, and to terminate the Lease; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute with the YMCA of San Diego County, a California nonprofit corporation, the "Lease Surrender and Termination Agreement" on file with the Office of the City Clerk as Document No. ~~10~~ **309839**, to terminate that certain Lease Agreement dated October 1, 1995, regarding the community and recreational center known as the Copley YMCA at 3901 Landis Street, San Diego, California.

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized and directed to execute, deliver and file all such agreements and all other instruments to effect and complete the transactions contemplated by this Resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

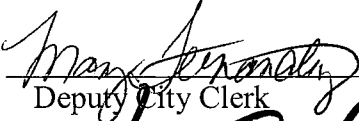
By

  
\_\_\_\_\_  
Jeremy M. Fonseca  
Deputy City Attorney

JMF:  
June 1, 2015  
Or.Dept: Real Estate Assets  
Doc. No.: 1033243

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 14 2015.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7/22/15  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 14 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 28 2015

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By *Maya Jaramila*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- **309839**