

RESOLUTION NUMBER R- 309910

DATE OF FINAL PASSAGE AUG 07 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE PERCENTAGE GROUND
LEASE AND REPORTING AND MONITORING AGREEMENT
FOR THE OLIVEWOOD GARDEN APARTMENTS AT 2855-85
55TH STREET, SAN DIEGO, CALIFORNIA.

WHEREAS, in 1981, the City entered into a 55-year ground lease (Ground Lease) with Chollas Gardens Limited to construct and operate sixty apartments for low-income senior citizens and one manager's apartment on City-owned land. The Ground Lease expires December 31, 2035; and

WHEREAS, in 2009, the Ground Lease was assigned to Olivewood Housing Partners, LP, a California limited partnership (Olivewood); and

WHEREAS, Olivewood has requested a new ground lease with a forty-one year lease term to make upgrades and repairs to the Olivewood Garden Apartments economically feasible; and

WHEREAS, the annual rent payable to CITY shall be 4.5% of all gross income received by Olivewood; and

WHEREAS, as additional consideration for the new lease, Olivewood shall pay City a one-time negotiated amount of \$126,500, payable in cash, on the commencement date, as defined in the new lease; and

WHEREAS, Olivewood is simultaneously entering into a Reporting and Monitoring Agreement with the San Diego Housing Commission (Housing Commission) and the City for the Housing Commission to monitor compliance with the rent and occupancy restrictions of the affordable housing units; and

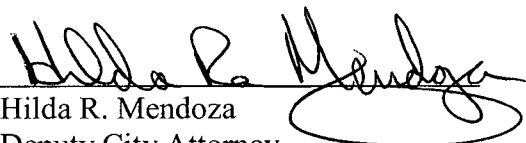
WHEREAS, as appraised by an independent fee appraiser, the market value of the real estate is \$2,010,000; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute that certain Percentage Ground Lease with Olivewood Housing Partners, LP, a California limited partnership, on file in the Office of the City Clerk as Document No. RR- 309910-1, for the Olivewood Garden Apartments located at 2855-85 55th Street, San Diego, California 92105, for the rental of units to low-income senior citizens.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to deposit rent revenue, including the one-time negotiated amount of \$126,500, into General Fund 100000.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to execute and direct that certain Reporting and Monitoring Agreement between the City, the San Diego Housing Commission and Olivewood Housing Partners, LP, a California limited partnership, on file in the Office of the City Clerk as Document No. RR- 309910-2, to monitor compliance with the rent and occupancy restrictions.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Hilda R. Mendoza
Deputy City Attorney

HRM:meb
July 22, 2015
Or.Dept: READ
Doc. No.: 1068462

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 03 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/6/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on AUG 03 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Loric 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 AUG 07 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 City Clerk, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **309910**