

Item 102 - Oct 27, 2015

(R-2016-168)

RESOLUTION NUMBER R- 310038

DATE OF FINAL PASSAGE NOV 03 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THAT CERTAIN PROPERTY RIGHTS EXCHANGE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND AUDREY GEISEL AND JPMORGAN CHASE BANK, N.A. FOR PURPOSES OF THE EXPANSION OF THE LA JOLLA COUNTRY CLUB RESERVOIR & PUMP STATION PROJECT.

WHEREAS, the La Jolla Country Club Reservoir & Pump Station project (Project) is part of the City of San Diego's (City) Public Utilities Department Capital Improvement Program. The Project is located at 7269 Encelia Drive in the community of La Jolla. The Project will replace the existing reservoir with a new 880,000 gallon (76% more capacity than the existing reservoir) concrete rectangular reservoir within the existing reservoir's footprint, and will replace the existing pump station with three new pumps capable of providing over 3 million gallon per day (over 30% increase from the existing reservoir); and

WHEREAS, the Project is essential to meet the future growth demands for domestic water supply, backup storage supply, and emergency fire flow protection which will benefit the La Jolla community; and

WHEREAS, the Project requires the acquisition of fee title to certain real property which is located adjacent to the existing reservoir (Adjacent Property). And, while a separate third party owns the fee title to the Adjacent Property, Audrey Geisel and JPMorgan Chase Bank, N.A. (Property Rights Owners) currently hold a deed restriction over the Adjacent Property; said deed restriction prevents any construction on the Adjacent Property. However, the Property

Rights Owners have agreed to remove the deed restriction from the Adjacent Property, for the City's purposes only, in exchange for the City granting the Property Rights Owners a sliver of the City's existing reservoir property; the requested sliver of City-owned property is 3 feet wide by 187 feet long (for a total of 1,049 square feet) and is deemed non-essential for the Project and other City purposes; and

WHEREAS, City Staff and the Property Rights Owners have negotiated terms and conditions for the proposed property rights exchange. City staff now seeks the City Council's authorization for the Mayor, or his designee, to execute that certain Property Rights Exchange Agreement between the City of San Diego and Audrey Geisel and JPMorgan Chase Bank, N.A.; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized to execute, and take all actions necessary to administer, that certain Property Rights Exchange Agreement between the City of San Diego and Audrey Geisel and JPMorgan Chase Bank, N.A., under the terms and conditions set forth in the Property Rights Exchange Agreement on file in the Office of the City Clerk as Document No RR- 310038.

APPROVED: JAN I. GOLDSMITH, City Attorney

By


Debra J. Bevier
Deputy City Attorney

DJB:mcm
October 6, 2015
Or.Dept: Real Estate Assets Dept.
Doc. No.: 1141893

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of Oct 27 2015.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 11/2/15
(date)

[Signature]
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 27 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 03 2015

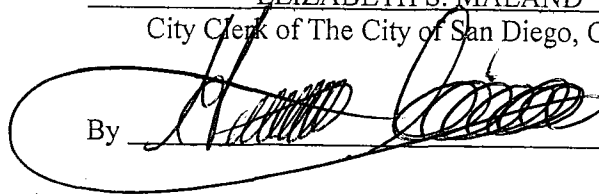
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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 , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 310038