

RESOLUTION NUMBER R- 310415

DATE OF FINAL PASSAGE MAY 27 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO ASSOCIATION OF GOVERNMENTS WHICH SETS FORTH THE TERMS AND CONDITIONS FOR THE SALE OF CERTAIN CITY REAL PROPERTY TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS, AND FOR THE SAN DIEGO ASSOCIATION OF GOVERNMENTS TO PROVIDE THE CITY WITH CERTAIN MITIGATION CREDITS RESULTING FROM THE W-19 WETLANDS RESTORATION PROJECT, ALL IN THE SAN DIEGUITO RIVER VALLEY.

WHEREAS, the City of San Diego (City) is the owner of that certain 21.67 acres of real property in the San Dieguito lagoon area identified as Assessor's Parcel Number 299-040-49 (Property). The Property is vacant, unimproved, and environmentally-disturbed, and City has no current or foreseeable operational need for the Property. The appraised market value of the Property is \$1,316,000.00; and

WHEREAS, City is undertaking a capital improvement project to expand and improve the El Camino Real bridge over the San Dieguito River (Bridge Project). The Bridge Project will require biological mitigation due to project impacts; the extent of the mitigation will be determined by final environmental and regulatory agency approvals of the Bridge Project; and

WHEREAS, the San Diego Association of Governments (SANDAG) is undertaking a large-scale environmental restoration project (Restoration Project) to create coastal and freshwater wetlands and to make other valuable biological improvements in the San Dieguito lagoon area, in the western portion of the San Dieguito River Valley, to meet SANDAG's mitigation requirements for other projects; and

WHEREAS, SANDAG desires to purchase, at market value, the Property to use as part of the Restoration Project, and SANDAG has agreed that part of the contemplated environmental restoration will include enhancing and maintaining the Property as a natural flood control channel for the San Dieguito area; and

WHEREAS, in addition to offering to pay market value for the Property, SANDAG has offered to provide up to 20.4 acres of certain biological mitigation credits for use by City for City's Bridge Project, or an alternative project, if the Bridge Project is not ultimately approved; and

WHEREAS, City staff has negotiated that certain Agreement Regarding Sale of Property, Provision of Mitigation, and Restoration of Land within the San Dieguito River Valley between the San Diego Association of Government and the City of San Diego (Sale Agreement) with SANDAG, which Sale Agreement is contingent upon SANDAG receiving the necessary approvals for the Restoration Project; and

WHEREAS, City Charter section 77 requires all proceeds from the sale of City real property to be deposited into the City's Capital Outlay Fund; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Agreement Regarding Sale of Property, Provision of Mitigation, and Restoration of Land within the San Dieguito River Valley between the San Diego Association of Government and the City of San Diego (Sale Agreement), the terms and conditions of which are fully set forth in Document No. RR- 310415 on file with the City Clerk, is approved, and the Mayor, or his designee, is authorized to execute and deliver the Sale Agreement, and all such other agreements and instruments required to effect and complete the transactions contemplated by the Sale Agreement authorized by this Resolution.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized and directed to accept and deposit the proceeds from the sale of the Property into Capital Outlay Fund, 400002.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Melissa D. Ables  
Melissa D. Ables  
Deputy City Attorney

MDA:mcm  
May 4, 2016  
Or.Dept:Real Estate Assets Dept.  
Doc. No.: 1279152

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 17 2016.

ELIZABETH S. MALAND  
City Clerk

By Hayley Reed  
Deputy City Clerk

Approved: 5/17/16  
(date)

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on MAY 17 2016, 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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 27 2016.

(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.

(Seal)

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

By *Aty Beach*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 310415