

# 113  
12/6/16

(R-2017-221)  
Cor. Copy

RESOLUTION NUMBER R- 310835  
DATE OF FINAL PASSAGE DEC 16 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A 20-YEAR FLAT RATE LEASE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND OTAY TERMINAL-CALLE FORTUNADA, LLC, FOR THE OCCUPANCY AND OPERATION OF A VEHICLE PARKING LOT LOCATED AT THE SOUTHEAST END OF THE MONTGOMERY-GIBBS EXECUTIVE AIRPORT IN SAN DIEGO.

WHEREAS, since 1994, Otay Terminal-Calle Fortunada, LLC and its predecessors (Calle Fortunada) have leased and maintained a vehicle parking lot located on property situated at the southeast end of the Montgomery-Gibbs Executive Airport (Airport), comprised of 63,157 square feet (the Property), from the City of San Diego (City); and

WHEREAS, the current lease between City and Calle Fortunada has been on legal holdover status since June 2014; and

WHEREAS, Calle Fortunada has requested a new 20-year lease (New Lease); and

WHEREAS, Airport staff believes that it is mutually beneficial for City to enter into the New Lease with Calle Fortunada because (i) said use is the highest and only real economically-feasible use of the Property due to its location on the Airport because the Property is essentially landlocked due to its location between mitigation land located on the Airport and adjacent private property owned by Calle Fortunada, and (ii) because a New Lease will provide sustained revenue to the Airport Enterprise Fund which will contribute to the Airport's requirement to remain self-sustaining; and

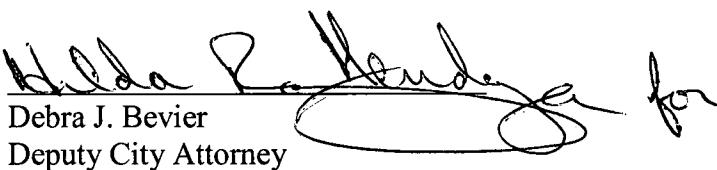
WHEREAS, due to the landlocked nature of the Property, Airport staff affirms that a Request For Proposal for the Property would not benefit City, so, in accordance with City

Council Policy 700-41, staff moved forward with exclusive negotiations with Calle Fortunada;  
and

WHEREAS, the market value of the Property, as appraised by an independent fee appraiser, is \$1,830,000; NOW, THEREFORE,

BE IT RESOLVED, that the Mayor, or his designee, is authorized and directed to execute the new 20-Year Flat Rate Lease Agreement between the City of San Diego and Otay Terminal-Calle Fortunada, LLC, the terms and conditions of which are more fully set forth in Document No. RR-310835, which is on file with the City Clerk.

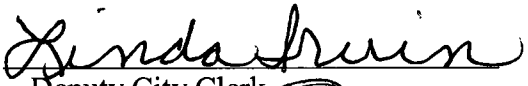
APPROVED: JAN I. GOLDSMITH, City Attorney

By  for  
Debra J. Bevier  
Deputy City Attorney

DJB:mcm  
October 28, 2016  
December 2, 2016 Cor. Copy  
Or.Dept: Real Estate Assets Dept.  
Doc. No.: 1381789\_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 06 2016.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 12/14/16  
(date)

  
KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on DEC 06 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri 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"/>
District 3 - (Vacant)	<input 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 DEC 16 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.

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

(Seal)

By Jennifer Swin, Deputy

Office of the City Clerk, San Diego, California

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