

RESOLUTION NUMBER R- 312581

DATE OF FINAL PASSAGE JUL 30 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SELL BY NEGOTIATION CERTAIN EXCESS CITY PROPERTY LOCATED AT 415 EUCLID AVENUE, SAN DIEGO, CALIFORNIA IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 548-040-39 TO THE COUNTY OF SAN DIEGO; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AGREEMENTS TO CONSUMMATE THE SALE; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT AND DEPOSIT THE INDEPENDENT CONSIDERATION AND THE PROCEEDS OF THE SALE.

WHEREAS, the City of San Diego (City) is the owner of approximately .621 acres of real property, improved with an approximately 7,000 square foot building, located at 415 Euclid Avenue, San Diego, CA 92114, identified as Assessor's Parcel Number 548-040-39 (Property); and

WHEREAS, the City has no current or foreseeable use for the Property, with the exception of reserving an easement for an existing trail and drainage uses, and City staff has determined the Property to be in excess of the City's needs; and

WHEREAS, the value of the Property as disclosed by an appraisal made by a qualified real estate appraiser or a qualified employee of the City within the past six months is \$1,465,000; and

WHEREAS, the County of San Diego has approached the City seeking to buy the Property at the appraised value, so that they may use the Property for the Southeastern Live Well Center, which they intend to build on adjacent parcels; and

WHEREAS, if the Council authorizes the Mayor to sell the Property, the Mayor or his designee will be authorized to accept the County's offer, on terms and conditions that the Mayor

or his designee determines to be reasonable and in the best interests of the City, and to execute and deliver on behalf of the City, a purchase and sale agreement, deed, and all other agreements and documents necessary to complete the sale transaction and transfer the Property to the buyer; and

WHEREAS, the purchase and sale agreement may require the buyer to pay City \$100.00 in consideration for City's execution and delivery of the purchase and sale agreement into escrow (Independent Consideration), which shall be immediately released by the Escrow Agent to City, and is non-refundable regardless of whether the sale is completed; and

WHEREAS, San Diego Charter section 77 requires all proceeds from the sale of City real property be used exclusively for the acquisition and construction of permanent public improvements, or to reimburse the General Fund for prior capital expenditures and financing costs associated with the acquisition and construction of such permanent public improvements; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee, is authorized to sell the real property located at 415 Euclid Avenue, San Diego, CA 92114, identified as Assessor's Parcel Number 548-040-39, improved with an approximately 7,000 square foot building (Property), to the County of San Diego at the appraised value of \$1,465,000, and on other terms and conditions deemed by the Mayor or his designee to be reasonable and in the best interests of the City, and to execute and deliver on behalf of the City, a purchase and sale agreement, deed, and all other agreements and documents necessary to complete the sale, reserve easements for existing trail and drainage usage, and transfer the Property to the County.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized and directed to accept the Independent Consideration, and deposit it into the General Fund 100000.

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

APPROVED: MARA W. ELLIOTT, City Attorney

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

MDA:nja:als
06/28/2019
Or. Dept: READ
Doc. No.: 2029412

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 23 2019.

ELIZABETH S. MALAND
City Clerk

By EM
Deputy City Clerk

Approved: 7/30/19
(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 JUL 23 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 30 2019.

(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 , Deputy

Office of the City Clerk, San Diego, California
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