

RESOLUTION NUMBER R- 313369

DATE OF FINAL PASSAGE DEC 09 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF THE CONCESSION AGREEMENT WITH SAN DIEGO COUNTY BICYCLE COALITION FOR THE PROPOSED USE OF BUILDING 191 AT NAVAL TRAINING CENTER PARK AS A BICYCLE CENTER.

WHEREAS, Naval Training Center Park, consisting of approximately 49 acres, was conveyed to the City of San Diego (City) by the United States of America on July 6, 2001, under the “Federal Lands to Parks Program” pursuant to a quitclaim deed on file with the San Diego County Recorder’s Office as Document No. 2001-0665987 (Deed); and

WHEREAS, the Deed requires the property be used in perpetuity for public park and public recreation area purposes in accordance with the approved Naval Training Center Program of Utilization, and sets forth certain restrictions and covenants and conditions; and

WHEREAS, the Deed authorizes concession agreements with third parties, subject to the concurrence of such agreements from the National Park Service, as the designated representative of the Secretary of the Interior of the United States Department of the Interior; and

WHEREAS, Building 191 was formerly used as part of Naval Training Center operations as a headquarters for a women’s club and was marked for demolition in the approved Naval Training Center Program of Utilization; and

WHEREAS, in 2016, members of the San Diego County Bicycle Coalition (SDCBC) approached the City’s Parks and Recreation Department (Department) about a potential reuse strategy for Building 191 and the immediate surrounding area, which consists of approximately 0.3 acres of land and including an existing 6,150 square foot building (Property), as a regional bicycle transit center to be funded privately without cost to the City; and

WHEREAS, the City is committed to supporting bicycling for recreational and increased mobility for its citizens. SDCBC's proposal furthers the goals of the City to provide increased opportunities for both bicycle-centered recreation and the goals of the City's Mobility Plan, which includes policies and programs to improve the overall transportation system in the City; and

WHEREAS, the proposed rehabilitation of the Property will be funded privately by fundraising efforts of SDCBC as set forth in the proposed Concession Agreement and no City funds will be expended for the rehabilitation project or the maintenance and operations of the Property; and

WHEREAS, the proposed Concession Agreement is a license to use the Property, does not convey an interest or estate in the Property, and is not a lease; and

WHEREAS, the City submitted the proposed Concession Agreement to the National Park Service, as the designated representative of the Secretary of Interior, for concurrence as required by the Deed; and

WHEREAS, the City received a response from the National Park Service on January 24, 2020, stating the proposed use by SDCBC is consistent with the public park and recreation purpose restrictions in the Deed, approving the amendment to the Naval Training Center Program of Utilization to authorize the proposed use of Building 191 as a bicycle center; and requesting changes to sections 26 and 68 to the proposed Concession Agreement; and

WHEREAS, the City responded to the National Park Service accepting the change to section 68 and proposing a revision to section 26 of the proposed Concession Agreement to address the requested change; and

WHEREAS, the City awaits the response of the National Park Service regarding section 26 of the proposed Concession Agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Mayor, or his designee, is hereby authorized and directed to execute the Concession Agreement, on file in the Office of the City Clerk as Document No. RR- 313369, with San Diego County Bicycle Coalition, for use of the Property at Naval Training Center Park as a bicycle center, upon the final concurrence of the National Park Service, as the designated representative of the Secretary of Interior, and with such contract terms and conditions deemed reasonable and in the City's best interest by the Mayor or his designee.

APPROVED: MARA W. ELLIOTT, City Attorney

By Hilda R. Mendoza
Hilda R. Mendoza
Deputy City Attorney

HRM:nja
11/10/20
Or. Dept: Parks & Recreation Dept.
Doc. No.: 2523416

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 12/08/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Connie Patterson
Deputy City Clerk

Approved: 12/9/2020
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 08 2020, 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"/>
Vacant	<input 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 DEC 09 2020.

(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 Annie Patterson, Deputy

Office of the City Clerk, San Diego, California
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