

#1026  
08/02/2022

(R-2023-5)

RESOLUTION NUMBER R- 314283

DATE OF FINAL PASSAGE AUG 10 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE THIRD AMENDMENT TO THE LEASE WITH THE NEIGHBORHOOD HOUSE ASSOCIATION, WITH REGARD TO THE PROPERTY LOCATED AT 808 WEST CEDAR STREET, SAN DIEGO, CALIFORNIA.

WHEREAS, the City in its capacity as the housing successor to the former Redevelopment Agency of the City of San Diego, owns that certain real property located at 808 West Cedar Street in the Downtown Community Plan Area (Property); and

WHEREAS, the ultimate disposition of the Property is subject to the Affordable Housing Master Plan adopted by City Council on May 14, 2013, by Resolution R-308142, and updated on January 28, 2016, by Resolution R-310183, and further updated on September 24, 2018, by Resolution R-311975 (Master Plan); and

WHEREAS, the Master Plan proposes the Property be developed as an affordable housing development with ground floor commercial space and a percentage of the residential units set aside for supportive housing; and

WHEREAS, the future disposition of the Property is subject to the Surplus Land Act (SLA) as set forth in California Government Code sections 54220 through 54234; and

WHEREAS, City staff has recently been in discussions with the California Department of Housing and Community Development to ensure that the City's intended approach to disposition of the Property for affordable housing purposes complies with provisions of the SLA; and

WHEREAS, it is anticipated that the City may soon issue a Request for Qualifications/Proposals to select a development partner for a future affordable housing development on the Property; and

WHEREAS, on September 1, 2014, the City entered into a Lease with the Neighborhood House Association (NHA) for the interim use of the Property as a Head Start facility (Lease); and

WHEREAS, Head Start is a federally funded child development program that serves children of low-income families; and

WHEREAS, the City entered into the Lease as an interim use to generate additional revenue for the Low and Moderate Income Housing Asset Fund, to facilitate the provision of needed services to the community, and to minimize property management expenses; and

WHEREAS, the term of the Lease was for three years expiring on August 31, 2017, with an option to extend the term for one additional period up to one year; and

WHEREAS, on August 1, 2017, the City Council approved Resolution R-311287 authorizing the First Amendment to the Lease, on file with the San Diego City Clerk as Document No. RR-311287 (First Amendment); and

WHEREAS, the First Amendment extended the term to August 31, 2018; and

WHEREAS, the City and NHA subsequently agreed under the option to extend the term of the Lease to August 31, 2019; and

WHEREAS, on August 5, 2019, the City Council approved Resolution R-312611 authorizing the Second Amendment to the Lease, on file with the San Diego City Clerk as Document No. RR-312611 (Second Amendment); and

WHEREAS, the Second Amendment extended the term of the Lease to August 31, 2020, with an option to extend the term for two additional periods of one year each; and

WHEREAS, the City and NHA subsequently agreed under the option to extend the term of the Lease to August 31, 2022; and

WHEREAS, the City and NHA have negotiated a proposed Third Amendment to the Lease to extend the term to August 31, 2023, with an option to extend the term further, at the City's discretion, for one additional period up to one year (Third Amendment); and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. The Council approves the Third Amendment.
2. The Mayor, or designee, is authorized and directed to sign the Third Amendment on the City's behalf. The Third Amendment, once fully executed, shall be placed on file in the Office of the City Clerk as Document No. RR- 314283.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ William Witt  
William Witt  
Deputy City Attorney

WWW:jvg  
June 21, 2022  
Or.Dept: Economic Development  
CC No. N/A  
Doc. No.: 3021334

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 02 2022.

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 8/10/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on AUG 02 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 10 2022.

**(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:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

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

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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