

RESOLUTION NUMBER R- 314371

DATE OF FINAL PASSAGE OCT 12 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING CITY-OWNED REAL PROPERTY LOCATED AT 6395-6397 IMPERIAL AVENUE (APN 549-140-16) SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE SECTIONS 54220-54234 ON THE CONDITION THAT FUTURE DEVELOPMENT OF THE PROPERTY INCLUDES DEMOLITION OF A ONE-STORY SUBSTANDARD STRUCTURE, AND APPROVING A RELATED WAIVER OF COUNCIL POLICY 700-10.

WHEREAS, the City of San Diego (City) owns the real property located at 6395-6397 Imperial Avenue in the City, which consists of approximately 7,400 square feet (Property); and

WHEREAS, the California Surplus Land Act (SLA), Government Code sections 54220-54234, requires in Government Code section 54221(b)(1) that the City Council take formal action at a regular public meeting to declare the Property surplus land before the City may take any action to dispose of the Property; and

WHEREAS, the California Department of Housing and Community Development (HCD) published its 2021 SLA Guidelines that interpret the SLA to apply to both the proposed sale of surplus land and the proposed leasing of surplus land (subject to limited exceptions not applicable in this instance); and

WHEREAS, the City considers the Property surplus land only if future development of the Property is required to include demolition of a substandard building on the Property within 120 days after the close of escrow for the City's sale of the Property (Building Demolition); and

WHEREAS, Section 202(a)(2)(D)(iv) of the 2021 SLA Guidelines authorizes the City to impose reasonable development conditions or restrictions on the sale or lease of surplus land,

which must be reviewed by HCD and included in the City's notice of availability distributed to certain governmental entities and affordable housing sponsors identified in the SLA; and

WHEREAS, the City Council's declaration that the Property is surplus land is conditioned on the buyer of the Property committing to complete the Building Demolition as part of future development of the Property; and

WHEREAS, the City Council intends to waive the requirement in Council Policy 700-10 that the Property be circulated to City departments for review to determine if there is a municipal use for the Property before the City disposes of the Property because the Property has been owned by the former Redevelopment Agency of the City of San Diego and is now subject to disposition consistent with the Amended and Restated Long Range Property Management Plan, as approved by the City Council, Oversight Board, and California Department of Finance; 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 Council of the City of San Diego, as follows:

1. The Property does not have a foreseeable use by the City and is declared surplus land under the SLA.
2. The Mayor or designee is authorized and directed to issue a notice of availability of the Property for sale under the SLA, with the development condition that the existing one-story substandard structure be demolished within 120 days after the close of escrow for the City's sale of the Property.

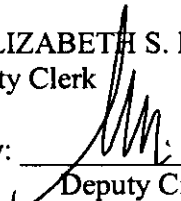
3. The requirement in Council Policy 700-10 that the Property be circulated to City departments for review to determine if there is a municipal use for the Property before the City disposes of the Property is waived for sale of the Property in accordance with this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney


By: /s/ Katherine A. Malcolm  
Katherine A. Malcolm  
Deputy City Attorney

KAM:  
09/07/2022  
Or. Dept.: Economic Dev't  
Doc. No.: 3081029

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 03 2022.

ELIZABETH S. MALAND  
City Clerk  
By:   
Deputy City Clerk

Approved: 10/12/22  
(date)

  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on OCT 03 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 12 2022.

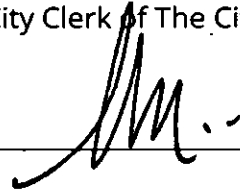
**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

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 , Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Resolution Number R- <u>314371</u></p>
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