

10/03/2022 #628

(R-2023-142)

RESOLUTION NUMBER R- 314372  
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 SOUTH 40TH STREET AND ALPHA STREET (APNS 551-231-01, 551-231-05, 551-231-35) SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE SECTIONS 54220-54234 AND APPROVING A RELATED WAIVER OF COUNCIL POLICY 700-10.

WHEREAS, the City of San Diego (City) owns the real property located in the vicinity of south 40th Street and Alpha Street in the City, which consists of approximately 21,000 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 declares that the Property is surplus land because the Property is vacant and has no foreseeable use by the City; 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.
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.

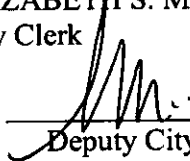
APPROVED: MARA W. ELLIOTT, City Attorney

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

KAM:  
09/07/2022  
Or. Dept.: Economic Dev't  
Doc. No.: 3081115

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:

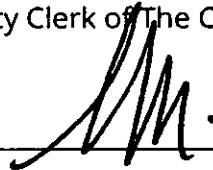
Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen 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

Office of the City Clerk, San Diego, California  
Resolution Number R- 314372