

RESOLUTION NUMBER R- 315673

DATE OF FINAL PASSAGE JUL 10 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A LEASE OF THE REAL PROPERTY LOCATED AT 8450 MIRA MESA BOULEVARD, AND COMMONLY KNOWN AS THE MIRA MESA EPICENTRE, BETWEEN THE CITY OF SAN DIEGO AND THE COUNTY OF SAN DIEGO. MAKING A RELATED FINDING OF PUBLIC PURPOSE, AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT AND DEPOSIT RENT, AND WAIVING PROVISIONS UNDER COUNCIL POLICIES 700-10 AND 300-11.

WHEREAS, the City of San Diego (City) owns the real property located at 8450 Mira Mesa Boulevard, San Diego, California, which is more specifically identified as a portion of Assessor's Parcel Number 311-041-06, and commonly referred to as the Mira Mesa Epicentre, and which is specifically identified in the staff report included in the docket materials accompanying this Resolution (Property); and

WHEREAS, City staff negotiated a proposed lease between the City and the County of San Diego (County) for the Property (Lease), and a copy of the Lease is included in the docket materials accompanying this Resolution; and

WHEREAS, San Diego Municipal Code section 22.0901 requires resolutions approving leases of City-owned property to contain a statement of the market value of the subject real estate; and

WHEREAS, on April 23, 2024, City staff produced a Restricted Appraisal Report for the Property, a copy of which is included in the docket materials accompanying this Resolution, with a market value of \$1,630,000 as of March 27, 2024; and

WHEREAS, the Lease is for a term of 45 years, with the County obligated to pay nominal rent to the City of one dollar per month; and

WHEREAS, the County intends to use the Property for a public purpose in that it intends to rehabilitate the Property and thereafter operate it as a public space that will offer innovative youth services, such as school and career counseling, homework assistance, leadership programs, performing arts and music programs, and recreation and social opportunities, all of which will increase public safety by activating an underutilized property within the community; and

WHEREAS, County staff anticipates presenting the Lease for discretionary approval by the County Board of Supervisors at a public meeting on July 17, 2024; and

WHEREAS, if the County Board of Supervisors approves the Lease, such approval will be contingent on several matters, including the County completing all pre-construction activities related to the Property, and the County will not sign the Lease until all of its contingencies are cleared; and

WHEREAS, substantially concurrent with the adoption of this Resolution, the Council adopted a separate resolution declaring the Property to be exempt surplus land under the Surplus Land Act (California Government Code section 54220 through 54234), and the City will submit that separate resolution to the California Department of Housing and Community Development (HCD) for its review; and

WHEREAS, for reasons explained in the staff report accompanying this Resolution, City staff is requesting that the Council waive the application of: (a) certain provisions in Council Policy 700-10 related to obtaining an appraisal of market rent, and providing for a fair market rent and a security deposit; and (b) Council Policy 300-11 related to including a condition in a lease allowing the City to terminate the lease if the lessee employs an individual who within the twelve months immediately preceding such employment was involved in the lease negotiations; 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 finds that the County's proposed use of the Property under the Lease serves a public purpose, namely operating the Property as a public space that will offer innovative youth services.

2. The Lease is approved.

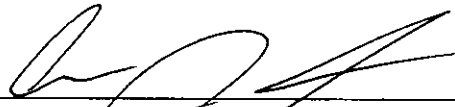
3. Contingent upon HCD's concurrence that the Property is exempt surplus land under the Surplus Land Act, the Mayor or designee is authorized, on the City's behalf, to sign and deliver the Lease and all other documents necessary or appropriate to complete the City's lease of the Property to the County under the Lease, and to take all other actions necessary or appropriate to complete all transactions contemplated by the Lease. A copy of the Lease, when signed by both parties, shall be placed on file in the Office of the City Clerk as Document No. **RR- 315673**.

4. The Council waives the provisions of Council Policy 700-10 requiring the City to obtain an appraisal of the market rent for the Property, and that the Lease to provide for a fair market rent and a security deposit.

5. The Council waives Council Policy 300-11.

6. The Chief Financial Officer is authorized and directed to accept the County's rental payments under the Lease and deposit the payments into Fund Number 100000, General Fund.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Andrew John Alfonso
Deputy City Attorney

AJA:nja
06/07/2024
Or. Dept: Real Estate
Doc. No. 3675398

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 02 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 7/10/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 02 2024, 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"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 JUL 10 2024.

(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)

DIANA I.S. FUENTES
City Clerk of The City of San Diego, California.

By *Dinda Irwin*, Deputy
For Gilbert Sanchez

Office of the City Clerk, San Diego, California

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