

2013 2-3-25

(R-2025-227)

RESOLUTION NUMBER R- 316016

DATE OF FINAL PASSAGE FEB 11 2025

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING AN AMENDED VERSION OF COUNCIL POLICY 700-12, TITLED "LEASING CITY PROPERTY TO NONPROFIT ORGANIZATIONS."

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. The Council adopted Resolution R-251957 (June 30, 1980) creating Council Policy 700-12, initially titled "Leases to Nonprofit Organizations Outside of Balboa Park" and later retitled "Disposition of City Property to Nonprofit Organizations." The Council approved amendments to Council Policy 700-12 in 1981 and 1985.

B. Council Policy 700-12 establishes general guidelines for leasing City-owned property to nonprofit organizations that will provide public services in areas other than Balboa Park and Mission Bay Park. This policy also provides specific directions for leasing City-owned property subject to Community Development Block Grant restrictions.

C. The Office of the City Auditor (OCA) conducted several performance audits, most recently in 2021 and 2022, recommending that City staff make updates to Council policies governing real property transactions. In response to those audits, City staff collaborated with the Office of the City Attorney and the Office of the Independent Budget Analyst to holistically review several Council policies related to real property transactions. This collaborative effort, now completed, addressed the OCA's audit recommendations, strengthened internal protocols, and reflected best management practices for real property matters.

D. City staff prepared an amended version of Council Policy 700-12, which carries out the OCA's recommendations and makes other improvements. Among other changes, the

amended Council Policy 700-12: (i) enables the City to charge either a nominal fee or an administrative cost recovery fee, in lieu of market rent, for lease transactions with nonprofit entities that will confer public benefits; (ii) provides further clarity on eligibility criteria for nonprofit entities leasing real property from the City; (iii) changes the name of the policy to reflect that the policy addresses only leases, not other dispositions; and (iv) adds a definitions section for additional clarity.

E. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, with the understanding that this information is complete and accurate.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council adopts the amended version of Council Policy 700-12, titled “Leasing City Property to Nonprofit Organizations,” as set forth in Document No.

RR-316016 filed in the Office of the City Clerk.

2. The City Clerk is instructed to update the Council Policy Manual to include the amended version of Council Policy 700-12.

APPROVED: HEATHER FERBERT, City Attorney

By Kevin Reisch
Kevin Reisch
Senior Deputy City Attorney

KJR:jdf
12/19/24
Or. Dept: Econ. Dev.
Doc. No.: 3867309

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on

FEB 03 2025

DIANA J.S. FUENTES
City Clerk

By *Kristell Medina*
Deputy City Clerk

Approved: 2/4/25
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 03 2025, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 FEB 1 1 2025.

(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:

(Seal)

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

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

By Linda Bruin, Deputy
For Krystell Medina

Office of the City Clerk, San Diego, California
Resolution Number R- **316016**