

RESOLUTION NUMBER R- 316029

DATE OF FINAL PASSAGE FEB 18 2025

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING A TEN-YEAR PUBLIC PURPOSE
LEASE WITH THE COLLEGE ECONOMIC DEVELOPMENT
CORPORATION FOR CITY-OWNED REAL PROPERTY
LOCATED AT 4704 COLLEGE AVENUE.

RECITALS

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

A. The City of San Diego (City) established the College Area Business Improvement District (BID) by Ordinance No. O-18263 (New Series) in 1996 and the College Heights Maintenance Assessment District (MAD) by Resolution R-299142 in 2004.

B. The College Area Economic Development Corporation, a 501(c)(3) nonprofit corporation, commonly known as “College Area Business District” (District), manages the College Area BID and the College Heights MAD through separate contracts managed by the Economic Development Department’s Small Business Engagement Unit.

C. The District serves as a small business advocacy organization representing over 550 business owners and 250 commercial property owners within the City’s College Area. The District provides business assistance, marketing, and promotional activities in the BID, along with maintenance services and beautification projects within the MAD. The District is governed by a 17-member volunteer board of directors, elected by over 700 business and property owners. The District also provides various community and nonprofit organizations with access to conference rooms and study and workspaces free of charge.

D. Since early 1996, the District has occupied City-owned real property comprised of 5,382 square feet of land and a 1,534 square foot building located at 4704 College Avenue in San

Diego (Property). In 2006, the District significantly renovated the Property, better serving the business and local community. The District continues to renovate and maintain the Property, providing the community and nonprofit organizations an energy efficient and comfortable place to work, conference, and study.

E. The City has negotiated a new ten-year lease of the Property (Lease) with the District to continue to provide: (i) space to conduct business; (ii) technical assistance helping small business owners within the College Area BID flourish and increase economic opportunities; (iii) free community space to the community and nonprofit organizations for meetings, gatherings, and study in furtherance of the BID/MAD mission.

F. Under the Lease, the District will pay an annual nonprofit administrative fee of \$4,532.50, adjusted annually by the greater of four percent or a consumer price index adjustment factor. As appraised by City staff, the market value of the Property subject to the Lease is \$997,000.

G. The Lease serves valid public purposes in that it provides beneficial services to the public, including: promoting the area as a destination for participation in community enhancing activities; offering space for community meetings, gatherings, and workshops; organization volunteers and sponsors from local businesses for public events; coordinating community volunteers to assist with the design and painting of public arts projects; and fostering and building relationships between the public, residents, and businesses, building a sense of community throughout City neighborhoods.

H. The California Department of Housing and Community Development (HCD) administers compliance with the California Surplus Land Act (SLA). In August 2024, HCD issued the Updated Surplus Land Act Guidelines (SLA Guidelines) to provide guidance

regarding the noticing and disposition procedures applicable to a local agency's disposition of surplus land under the SLA. Section 102(i) of the SLA Guidelines confirms that the SLA noticing and disposition procedures apply generally to lease transactions, except with respect to a lease of land on which no development or demolition will occur or a lease with a term of 15 years or less (including any extensions, amendments, or options). In this instance, the Lease is not subject to the SLA on two separate grounds: (1) it does not involve any development or demolition on the Property; and (2) it is for a term of ten years.

I. The Office of the City Attorney prepared 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 and accurate.

ACTION ITEMS

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

1. The Council finds that the Lease serves one or more valid public purposes for the reasons described above in Recital G.
2. The Council approves the Lease.
3. The Mayor or designee is authorized to sign the Lease. When signed by both parties, the Lease will be filed in the Office of the City Clerk as Document No. RR316029.
4. The Chief Financial Officer is authorized to accept and deposit the annually adjusted Base Rent under the Lease into the General Fund 100000.

APPROVED: HEATHER FERBERT, City Attorney

By



Michael Park
Deputy City Attorney

MP:nja
12/17/2024
Or. Dept: Econ. Dev.
Doc. No.: 3908853

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
FEB 11 2025

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 2/18/25
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 11 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 18 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:

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

(Seal)

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

By Linda Irwin, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California
Resolution Number R- 316029