

<b>REQUEST FOR COUNCIL ACTION</b> CITY OF SAN DIEGO	CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) N/A
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TO: CITY COUNCIL	FROM (ORIGINATING DEPARTMENT): Real Estate Assets	DATE: 03/28/2013
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SUBJECT: Sale of Residential Property at 7629 Jamacha Road, San Diego, CA 92114

PRIMARY CONTACT (NAME, PHONE): Mary Carlson, 619-236-6079, MS 51A	SECONDARY CONTACT (NAME, PHONE): Jim Barwick, 619-236-6145, MS 51A
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**COMPLETE FOR ACCOUNTING PURPOSES**

FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

COST SUMMARY (IF APPLICABLE):

**ROUTING AND APPROVALS**

CONTRIBUTORS/REVIEWERS:	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
Liaison Office	ORIG DEPT.	Barwick, James	6/10/2013
Environmental Analysis	CFO		
Financial Management	DEPUTY CHIEF		
Comptroller	COO	Sturak, Jeff	7/5/2013
	CITY ATTORNEY	Vacchi, Robert	7/8/2013
	COUNCIL PRESIDENTS OFFICE		

PREPARATION OF:     RESOLUTIONS     ORDINANCE(S)     AGREEMENT(S)     DEED(S)

1. Determine that the residential property located at 7629 Jamacha Road, San Diego, CA 92114, is surplus property and may be sold.
2. Authorize the Mayor or his designee to execute a Purchase & Sale agreement to sell the property at

minimum price of \$125,000.

3. Authorize the Chief Financial Officer to accept and deposit the proceeds of the sale, net of costs related to the sale, into the Capital Outlay Fund 400002.

4. Determine that the sale is exempt from CEQA in accordance with State CEQA Guidelines section 15312 (Surplus Government Property Sales).

5. Authorize Mayor or his designee to hire a real estate broker to sell the property at a commission not to exceed six percent (6%) of the sale price.

**STAFF RECOMMENDATIONS:**

Approve the Resolution.

**SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)**

<b>COUNCIL DISTRICT(S):</b>	4
<b>COMMUNITY AREA(S):</b>	Skyline-Paradise Hills
<b>ENVIRONMENTAL IMPACT:</b>	This activity is categorically exempt from CEQA pursuant to Section 15312 of the State CEQA Guidelines.
<b>CITY CLERK INSTRUCTIONS:</b>	DO NOT RECORD – please deliver documents to Real Estate Assets Department, Attn: Mary Carlson, MS 51-A for further handling.

**COUNCIL ACTION  
EXECUTIVE SUMMARY SHEET  
CITY OF SAN DIEGO**

DATE: 03/28/2013

ORIGINATING DEPARTMENT: Real Estate Assets

SUBJECT: Sale of Residential Property at 7629 Jamacha Road, San Diego, CA 92114

COUNCIL DISTRICT(S): 4

CONTACT/PHONE NUMBER: Mary Carlson/619-236-6079, MS 51A

**DESCRIPTIVE SUMMARY OF ITEM:**

Authorize the sale of residential property located at 7629 Jamacha Road, San Diego, CA 92114, at a minimum price of \$125,000.

**STAFF RECOMMENDATION:**

Approve the Resolution.

**EXECUTIVE SUMMARY OF ITEM BACKGROUND:**

7629 Jamacha Road, San Diego, CA 92114 (the "Property"), is a residential property consisting of an approximately a 65 year-old, 867 square-foot house on a 5,000 square-foot lot. The house is unoccupied.

The Property was acquired in 1961 for the proposed Encanto Expressway, which was never constructed. The Property is vacant and no City department has any current or foreseeable use for the Property. When sold, the City will be relieved of potential liabilities and the cost of maintaining property that does not generate revenue or provide any public benefit. The Property has been cleared for sale through the government clearance process.

Pursuant to Municipal Code Section 22.0902, the Property may be sold by negotiation to obtain the highest value and the City may, at its discretion, pay a real estate broker's commission under the provisions of Section 22.0905 for the sale of such real property.

The Property was appraised by an independent appraiser, and the fair market value of the Property was determined to be \$125,000. The appraiser noted that the property is in poor condition and marginally habitable.

It is intended that City staff will handle the Property sale. However, if such efforts are unsuccessful, the City may need to hire a residential real estate broker to sell the Property. Therefore, this item requests authorization to hire a residential real estate broker to sell the property at a commission not to exceed six percent (6%) of the sale price.

This item is requesting authorization to sell the Property at a minimum price of \$125,000.

**FISCAL CONSIDERATIONS:**

All proceeds from the sale of the Property, net of costs related to its sale, will be deposited in the Capital Outlay Fund 400002 as per City Charter Article VII.

**EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):**

N/A - Memo of 11/14/11.

PREVIOUS COUNCIL and/or COMMITTEE ACTION (describe any changes made to the item from what was presented at committee):

The sale of the Property will be heard at an upcoming Land Use & Housing meeting.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

The key stakeholders would be the City of San Diego.

Barwick, James

Originating Department

Sturak, Jeff

Deputy Chief/Chief Operating Officer

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO DETERMINING THE CITY-OWNED REAL  
PROPERTY LOCATED AT 7629 JAMACHA ROAD TO BE  
SURPLUS AND AUTHORIZING THE MAYOR OR HIS  
DESIGNEE TO TAKE ALL ACTION NECESSARY TO SELL  
PROPERTY

WHEREAS, the City of San Diego (City) owns fee interest in that certain 5,000 square foot parcel of real property, identified as APN 581-095-18 and located at 7629 Jamacha Road in San Diego, California (Property); and

WHEREAS, the City has no current or foreseeable municipal use for this Property with a public purpose or benefit; the City will be relieved of potential liabilities and costs of maintaining this Property, which does not generate income, and returning this Property to the tax rolls will generate additional tax increment and generate revenue from the sale for the Capital Outlay Fund; and

WHEREAS, the Property was appraised at a value of One Hundred and Twenty-Five Thousand Dollars (\$125,000) by an independent MAI appraiser; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City-owned 5,000 square feet of real property, identified as APN 581-095-18 and located at 7629 Jamacha Road in San Diego, California, is determined to be surplus City property and may be sold.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized, pursuant to Council Policy 700-10, for twelve (12) months from the date of this Council action to sell the Property for a price equal to or greater than the minimum price of One Hundred and Twenty Five

Thousand Dollars (\$125,000), and on such terms and conditions deemed reasonable and in the City's best interests by the Mayor or his designee.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is authorized to sell the Property through negotiation, public auction, sealed bids, or any combination of said methods, in his discretion.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized, in his discretion, to retain the services of a real estate broker to represent the City and facilitate the sale of the Property, and that the City may pay real estate brokerage participation and brokerage fees incurred thereby, in an amount determined by the Mayor, or his designee, to be reasonable and in the best interests of the City, but not to exceed six percent (6%) of the sale price.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to execute and deliver all such agreements and all other instruments to effect and complete the transaction contemplated by this Resolution.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to accept and deposit the proceeds of the sale of the Property, net of costs related to the sale, into the Capital Outlay Fund 400002.

APPROVED: JAN I. GOLDSMITH, City Attorney

By \_\_\_\_\_  
Robert A. Vacchi  
Deputy City Attorney

RAV:nja  
06/18/13  
Or. Dept: READ  
Doc. No. 586521  
Comp. R-2014-26

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
BOB FILNER, Mayor

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

\_\_\_\_\_  
BOB FILNER, Mayor

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THE SALE OF CITY-OWNED REAL PROPERTY LOCATED AT 7629 JAMACHA ROAD IN SAN DIEGO, CALIFORNIA, TO BE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15312

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) shall list those classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, pursuant to that authority, CEQA Guidelines sections 15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research and adopted by the Secretary of the California Natural Resources Agency for those classes of Projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Development Services Department has established that the sale of City-owned real property located at 7629 Jamacha Road in San Diego, California and identified as Assessor's Parcel Number 581-095-18 (Property), is categorically exempt from CEQA pursuant to CEQA Guidelines section 15312 and that no exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the sale; and

WHEREAS, the Council has been informed that the Property will not necessarily be used for any certain purpose in the future and no specific planning or development plan exists informing such future uses and that any future development constituting a project on the subject

property after the sale would undergo environmental review at the appropriate time once sufficient details regarding any such development are actually available, in accordance with CEQA Guidelines Section 15004; and

WHEREAS, the Council held a duly-noticed public meeting and considered the written record for the sale of the Property as well as public comment; NOW, THEREFORE.

BE IT RESOLVED, by the City Council of the City of San Diego, using its independent judgment, that authorizing the sale of City-owned real property located at 7629 Jamacha Road in San Diego, California and identified as Assessor's Parcel Number 581-095-18, is categorically exempt from CEQA pursuant to CEQA Guidelines section 15312 and that an exception to the exemption does not apply under CEQA Guidelines section 15300.2.

APPROVED: JAN I. GOLDSMITH, City Attorney

By \_\_\_\_\_  
Robert A. Vacchi  
Deputy City Attorney

RAV:nja  
06/18/13  
Or. Dept: READ  
Doc. No. 586510  
Comp. R-2014-

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
BOB FILNER, Mayor

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

\_\_\_\_\_  
BOB FILNER, Mayor