



THE CITY OF SAN DIEGO
MEMORANDUM

5500
6/19

DATE: 4/9/2007
TO: Michelle Strauss, Policy Advisor
FROM: B. Lane MacKenzie, Asset Manager 
SUBJECT: Supplemental Docket, June 18/19

Attached find the completed 1472 and resolutions for the acquisition of a 0.37 acre site, from Caltrans, for a future park in the City Heights community.

As a result of Caltrans' program for auctioning excess state property, this parcel is scheduled to be auctioned on June 20. Although the City was made aware of the sale, identification of the necessary funding was problematic. This has been rectified.

We are therefore requesting that this item be placed on the June 18/19 docket as a supplemental item. Approval of this item by Council will provide the State with the assurance of the City's intent to acquire the site, and the subsequent removal from auction list.



Real Estate Assets

202 C Street, MS 9B • San Diego, CA 92101
Tel (619) 236-6144 Fax (619) 236-7003

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE ONLY)
02700825

TO:
CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
Real Estate Assets/Park and Recreation

3. DATE:
June 12, 2007

4. SUBJECT:
Central Avenue Mini Park Acquisition - Caltrans Excess Land

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)
Lane MacKenzie (619) 236-6050 MS#51A

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)
Deborah Sharpe (619) 525-8261 MS#35

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	39094	10529	630221	39094
DEPT.			30244	30244
ORGANIZATION			105	105
OBJECT ACCOUNT	9544	9544	4279	4279
JOB ORDER			200130	290020
C.I.P. NUMBER			20-013.0	29-002.0
AMOUNT	\$70,200.00	\$150,000.00	\$135,000.00	108,800

9. ADDITIONAL INFORMATION / ESTIMATED COST:
Total Cost: \$520,000
Job No. 530120
Thomas Bro. Guide: Page 1269-G6
Previously Auth: \$128,000 (39094)
This Request: \$70,200 (39094)
\$150,000 (10529)
\$135,000 (630221)
\$56,000 (grant)

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	SANDOVAL	6/12/07	8	DEPUTY CHIEF	WABING	6/12/07
2	PARK & RECREATION	LOMEDICO	6/12/07	9	COO		
3	EAS	KELLEHER	6/12/07	10	CITY ATTORNEY	LADWEIG	6/13/07
4	FM	DEL RIO	6/12/07	11	ORIGINATING DEPARTMENT	MACKENZE	6/12/07
5	AUDITORS	MCGRUFF	6/12/07	DOCKET COORD: _____ COUNCIL LIAISON: _____			
7	COUNCIL LIAISON	PLANK		COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: 6/19/07			

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

See attached resolutions 1 through 6.
(continued)

11A. STAFF RECOMMENDATIONS:

Approve the resolutions.

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT: 3 (Atkins)
COMMUNITY AREA: Mid City, City Heights
ENVIRONMENTAL IMPACT: This action consists of a sale of surplus governmental property and therefore exempt from CEQA Guidelines, Section 15312. This action involves an application for obtaining grant funding for acquisition only. There is no environmental impact with this action. Any future action involving development of this property will be considered under a separate environmental document.
APPRAISAL: \$520,000 as established by Caltrans and verified by staff.
LOCATION: East of I-15, South of Landis Street.
CITY CLERK INSTRUCTIONS: DO NOT RECORD DIRECTOR'S DEED. Return documents to Real Estate Asset's Dept. Attn: B. Lane MacKenzie, MS#51A or call (619) 236-6050 for pickup
HOUSING IMPACT: None

1472 continued

Central Avenue Mini Park Acquisition – Caltrans Excess Lands

Job: 530120

- 1 Authorizing the acceptance of a Director's Deed, executed by the State of California Department of Transportation, for the opportunity purchase of a 0.37 acre parcel (APN 454-161-36-42) in City Heights as a public property, and;
- 2 Authorizing the Mayor to apply for, and accept a \$56,000 grant from the Per Capita Program Under the California Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act of 2000, and;
- 3 Authorizing the Auditor and Comptroller to establish a special, interest bearing fund for the grant, contingent upon receipt of a fully executed grant agreement, and;
- 4 Authorizing the reallocation of \$135,000, fund 630221, General Fund Contributions to the CIP, from CIP 20-013.0, Park & Rec Grant Match Funding, to CIP 29-002.0, Central Avenue Mini Park – Acquisition, contingent upon Auditors first certifying that funds are, or will be, on deposit with the City Treasurer and;
- 5 Authorizing a \$276,200 increase in the Fiscal Year 2007 Capital Improvement Program Budget within CIP 29-002.0, Central Avenue Mini Park – Acquisition, contingent upon Auditors first certifying that funds are, or will be, on deposit with the City Treasurer and;
- 6 Authorizing the Auditor and Comptroller to appropriate \$150,000 from fund 10529, Infrastructure Improvement Fund, to CIP 29-002.0, Central Avenue Mini Park – Acquisition, and \$56,000 from the Per Capita Program Under the California Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act of 2000 grant fund to , CIP 29-002.0, Central Avenue Mini Park – Acquisition, and \$70,200 from fund 39094, Mid-City Park Development Fund, to CIP 29-002.0, Central Avenue Mini Park – Acquisition, contingent upon Auditors first certifying that funds are, or will be, on deposit with the City Treasurer and;
- 7 Authorize the Auditor and Comptroller to expend and amount not to exceed \$520,000 for the purpose of purchasing the 0.37 acre parcel (APN 454-161-36-42) in City Heights from CIP 29-002.0, Central Avenue Mini Park – Acquisition, \$179,000 from fund 39094, Mid-City Park Development Fund, \$150,000 from fund 10529, Infrastructure Improvement Fund, \$135,000 from fund 630221, General Fund Contributions to the CIP, and \$56,000 from the Per Capita Program Under the California Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act of 2000 grant fund, contingent upon Auditors first certifying that funds are, or will be, on deposit with the City Treasurer.

EXECUTIVE SUMMARY SHEET

DATE ISSUED: May 11, 2007 REPORT NO.:

ATTENTION: Council President and City Council

ORIGINATION DEPT.: Real Estate Assets/Park and Recreation Departments

SUBJECT: Central Ave. Mini Park Acquisition – Caltrans Excess Lands

COUNCIL DISTRICT: 3 (Atkins)

STAFF CONTACT: Lane MacKenzie, Asset Manager, Real Estate Assets Dept.
(619) 236-6050 (Back-up: Deborah Sharpe, Project Officer II, Park Planning and
Development Division, Park and Recreation Dept. (619) 525-8261)

REQUESTED ACTION:

These actions authorize the Mayor or his representative to apply for a state grant, to execute an agreement with the state for grant funding, to appropriate all identified funding, and to execute an agreement with the Redevelopment Agency for acquisition of excess Caltrans property for future park purposes.

STAFF RECOMMENDATION:

Adopt the resolutions to support the acquisition of the property for future park purposes.

SUMMARY:

The State of California Department of Transportation (Caltrans) has designated certain excess State lands for sale, one being Disposal Parcel No. 13909-01-01 totaling 16,096 square feet or 0.37 acres, located at 3648 Central Avenue east of I-15 and just south of the pedestrian bridge over I-15, at an offering price of \$520,000.00, as described in the Caltrans Director's Deed and shown on Director's Deed Map DD13909-01-01 (Right of Way Map No. 55519.) The City Park and Recreation Department desires to acquire the land to develop as a future park to service the urban, park-deficient Mid-City community. Real Estate Assets staff has reviewed the sales data provided by Caltrans and determined that the value established by the state is representative of the market value.

The closing on the purchase of the 0.37 acre parcel is subject to both City Council approval and approval of the City's purchase Proposal by the California Transportation Commission in December, 2005. All future actions associated with development of this property will be subject to additional environmental analysis pursuant to CEQA.

In July 2000 and July 2001 respectively, legislative action authorized the California Department of Parks and Recreation to release the Per Capita and RZH Per Capita portions of

the 2000 Park Bond (Prop 12). San Diego's allocation of \$14,152,697 is under contract with the State, and based upon Mayoral and City Council approval. This action authorizes the Central Avenue Mini Park Acquisition - Caltrans Excess Land Project be funded, in part, with \$56,000 of Proposition-12 RZH Per Capita dollars allocated to Council District 3. The funds will be used for the acquisition of land for the future Central Avenue Mini-Park.

FISCAL CONSIDERATIONS:

These actions will appropriate a total of \$411,200 to CIP No. 29-002.0, Central Avenue Mini Park – Acquisition, comprised of \$ 70,200 from Mid City Special Park Fees (Fund No. 39094), \$ 150,000 from City Heights Redevelopment Project Area Tax Increment Fund (Fund No. 98200), \$ 135,000 in Park and Recreation Grant Mach Funding, CIP #20-013.0 (Fund #630221) and \$56,000 from the California Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Act of 2000, contingent upon receipt of a fully executed grant agreement, and authorize an expenditure of a total of \$ 520,000 from CIP No. 29-002.0, Central Avenue Mini Park – Acquisition , for the acquisition of the 0.37 acre Caltrans excess property for future park purposes.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

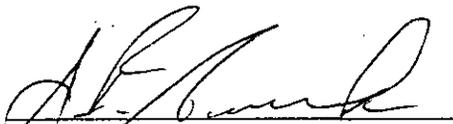
None

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

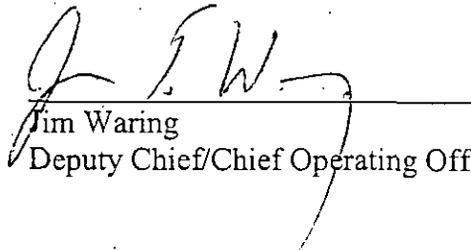
Subsequent to escrow closing on the subject property, the Park and Recreation Department will initiate the public input process, consistent with Council Policy 600-33, COMMUNITY NOTIFICATION AND INPUT FOR CITY-WIDE PARK DEVELOPMENT PROJECTS, to determine the appropriate use of the park land.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Key stakeholders include the residents of City Heights who are deficient in population-based park land per General Plan recommendations by 142 acres. This acquisition will reduce the park deficiency in the City Heights Community.



James Barwick, Director
Real Estate Assets Department



Jim Waring
Deputy Chief/Chief Operating Officer

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700825

ORIGINATING DEPT. NO.: 70

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$464,000.00 Fund: various

Purpose: To authorize the transfer of funds from CIP 200130 to CIP 290020 for the purpose of funding the Central Avenue Mini Park Land Acquisition. To authorize the appropriation of new funds to CIP 290020 for the purpose of funding the Central Avenue Mini Park Land Acquisition. Additional State Grant funding must first be secured before fully funding the Central

Date: June 12, 2007 By:  Caryn McGriff
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	30244	30244	105	4279	200130		630221		\$135,000.00
2	0	30244	30244	105	4279	290020		39094		\$108,800.00
3	0	10529			9544					\$150,000.00
4	0	39094			9544					\$70,200.00
TOTAL AMOUNT										\$464,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A CALIFORNIA TRANSPORTATION DEPARTMENT DIRECTOR'S DEED, APPLY FOR AND ACCEPT A GRANT FROM THE PER CAPITA PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002, AND AUTHORIZING THE AUDITOR AND COMPTROLLER TO ACCEPT, APPROPRIATE AND EXPEND FUNDS FOR THE ACQUISITION OF EXCESS CALTRANS PROPERTY IN CITY HEIGHTS FOR THE FUTURE CENTRAL AVENUE MINI PARK.

WHEREAS, the State of California Department of Transportation [CALTRANS] has designated certain excess State lands for sale, one being Disposal Parcel No. 13909-01-01 [Parcel] totaling approximately 16,096 square feet, or 0.37 acres, located at 3648 Central Avenue (east of Interstate-15 and just south of the pedestrian bridge over Interstate-15), and as more particularly described in the CALTRANS Director's Deed and shown on Director's Deed Map DD13909-01-01 (Right-of-Way Map No. 55519); and

WHEREAS, the negotiated purchase price for the Parcel is Five Hundred Twenty Thousand Dollars (\$520,000); and

WHEREAS, the Parcel is intended to be used for the future Central Avenue Mini Park in City Heights; and

WHEREAS, the Central Avenue Mini Park will reduce the park deficiency in the City Heights community, and will benefit the public health, safety, or general welfare;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized and empowered for and on behalf of the City to accept a Director's Deed, executed by the State of California Department of Transportation, for the opportunity purchase of an approximately 0.37-acre parcel of land (APN 454-161-36-42) [Parcel] located in City Heights as a public property;

BE IT FURTHER RESOLVED, the Mayor or his designee is authorized to apply for and accept a \$56,000 grant from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002;

BE IT FURTHER RESOLVED, the City Auditor and Comptroller is authorized to establish a special, interest-bearing fund for the grant, contingent upon receipt of a fully-executed grant agreement;

BE IT FURTHER RESOLVED, One Hundred Thirty-Five Thousand Dollars (\$135,000) shall be reallocated from Fund 630221, General Fund Contributions to the CIP, from CIP 20-013.0, Park & Rec Grant Match Funding, to CIP 29-002.0, Central Avenue Mini Park – Acquisition, contingent upon the Auditor and Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

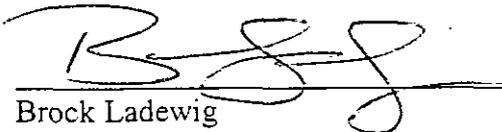
BE IT FURTHER RESOLVED, the Fiscal Year 2007 Capital Improvements Program Budget within CIP No. 29-002.0, Central Avenue Mini Park – Acquisition, shall be increased by Two Hundred Seventy-Six Thousand Two Hundred Dollars (\$276,200), contingent upon the Auditor and Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

BE IT FURTHER RESOLVED, the City Auditor and Comptroller is authorized to appropriate One Hundred Fifty Thousand Dollars (\$150,000) from Fund 10529, Infrastructure Improvement Fund, to CIP 29-002.0, Central Avenue Mini Park - Acquisition, and Fifty-Six Thousand Dollars (\$56,000) from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 grant fund to CIP 29-002.0, Central Avenue Mini Park – Acquisition, and Seventy Thousand Two Hundred Dollars (\$70,200) from Fund 39094, Mid-City Park Development Fund, to CIP 29-002.0, Central Avenue Mini Park – Acquisition, contingent upon the Auditor and Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

BE IT FURTHER RESOLVED, the City Auditor and Comptroller is authorized to expend amounts not to exceed One Hundred Seventy-Nine Thousand Dollars (\$179,000) from Fund 39094, Mid-City Park Development Fund, One Hundred Fifty Thousand Dollars (\$150,000) from Fund 10529, Infrastructure Improvement Fund, One Hundred Thirty-Five Thousand Dollars (\$135,000) from Fund 630221, General Fund Contributions to CIP, and Fifty-Six Thousand Dollars (\$56,000) from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, for a total expenditure not to exceed Five Hundred Twenty Thousand Dollars (\$520,000) for the purpose of purchasing the Parcel, contingent upon the Auditor and Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

BE IT FURTHER RESOLVED, the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Brock Ladewig
Chief Deputy City Attorney

BL:jdf
08/16/06
Or.Dept:READ
R-2007-223
MMS #3659

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)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor