

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck-Out~~

NEW LANGUAGE: Underline

(O-2005-99)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AMENDING CHAPTER 2, ARTICLE 2,
DIVISION 9, OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 22.0901 PERTAINING TO THE
LEASING OF CITY-OWNED REAL PROPERTY.

§ 22.0901 **Leases of Real Property**

Except as otherwise provided in the Charter, or by ordinance, the Council shall have the power to lease the real property of the City as follows:

- (a) No real property belonging to the City shall be leased except in pursuance of a resolution passed by a majority vote of all members of the Council, which shall contain the following:
 - (1) ~~(a)~~—The reason for leasing such real estate;
 - (2) ~~(b)~~—A description of the real estate to be leased;
 - (3) ~~(c)~~—A statement of the market value of such real estate as appraised by an independent fee appraiser or City staff.
- (b) Nothing contained in this section ~~contained~~ shall be deemed to apply to any lease for a term of three ~~(3)~~ years or less. The City Manager, at all

times, shall have power, without advertising, notice, or competitive bidding, and upon such terms as he may deem proper, to lease any of the real property of the City of San Diego for a term of three (3) years or less provided, however, that no such lease, so made, shall be renewed without the approval of the Council. ~~Rental agreements may be executed by the City Manager covering month to month tenant occupancy of City owned residential housing or Brown Field Airport Incubator Industries and shall not be subject to the provisions of subparagraphs (a) through (e) of this section, and occupancy of the facilities under such agreements may exceed three (3) years without the approval of the Council.~~

- (c) Nothing contained in this section shall be deemed to apply to any lease to a Wireless Communications Facility for a term of ten years or less. The City Manager, at all times, shall have power, without advertising, notice, or competitive bidding, and upon such terms as he may deem proper, to lease any of the real property of the City of San Diego for a Wireless Communications Facility for a term of ten years or less, provided however, that no such lease, so made, shall be renewed without approval of the Council.
- (d) Rental agreements may be executed by the City Manager covering month to month tenant occupancy of City owned residential housing or Brown Field Airport Incubator Industries and shall not be subject to the provisions of subparagraphs (a)(1) through (e3) of this section, and

occupancy of the facilities under such agreements may exceed three (3)
years without the approval of the Council.

CLG:EAC:mm:pev:nda
02/16/05
Or.Dept:DSD
O-2005-99