

#1016
9/21/2021

(R-2022-66)

RESOLUTION NUMBER R- 313714

DATE OF FINAL PASSAGE OCT 01 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING THAT THE CITY-OWNED REAL PROPERTY LOCATED AT 8810 MISSION GORGE ROAD, SANTEE, CALIFORNIA, IS EXEMPT SURPLUS LAND.

WHEREAS, the City of San Diego (City) owns the real property located at 8810 Mission Gorge Road, Santee, California, which is more specifically identified as a portion of Assessor's Parcel Number 383-080-03, a portion of Assessor's Parcel Number 383-080-04, and all of Assessor's Parcel Number 383-080-05 (collectively, the Property); and

WHEREAS, the Property was reviewed by pertinent City departments and none of these City departments requested retention of the Property for a City municipal use; and

WHEREAS, the Surplus Land Act (California Government Code sections 54220 through 54234) is generally intended to make a local agency's surplus land (*i.e.*, land not needed for the local agency's use) available for potential acquisition by affordable housing sponsors or other local public entities; and

WHEREAS, Government Code section 54221(b)(1) requires the Council to take formal action at a regular public meeting to declare the Property surplus land or exempt surplus land, as supported by written findings, before the City may take any action to dispose of the Property; and

WHEREAS, the written findings supporting an exempt surplus land declaration must be provided to the California Department of Housing and Community Development (HCD) for

review at least thirty (30) days before the City's disposition of the land pursuant to Section 400(e) of the HCD's Surplus Land Act Guidelines (SLA Guidelines); and

WHEREAS, the East County Advanced Water Purification Joint Powers Authority (East County Water JPA), which is a "local agency" as defined in California Government Code section 54221(a)(1), seeks to acquire the Property to facilitate the construction and operation of public facilities that will create a sustainable, drought-proof drinking water supply; and

WHEREAS, if the City sells the Property to the East County Water JPA for this public purpose, the Property will be exempt surplus land pursuant to California Government Code section 54221(f)(1)(D) because the City will be disposing of the Property by transferring it to another local agency for that agency's use; and

WHEREAS, declaring the Property exempt surplus land, contingent upon the City's sale of the Property to the East County Water JPA, does not require that the City sell the Property to the East County Water JPA, nor does it require that such a sale contain any specific term or condition; and

WHEREAS, a declaration that the Property is exempt surplus land is contingent upon the City's sale of the Property to the East County Water JPA, and if for any reason the City does not sell the Property to the East County Water JPA, the Council does not intend for this declaration to have any force or effect; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Property is exempt surplus land pursuant to California Government Code section 54221(f)(1)(D), contingent upon the Council's future discretionary approval of a sale of the Property to the East County Water JPA and the completion of that sale transaction.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Julie Gough Inman
Julie Gough Inman
Deputy City Attorney

JGI:jdf
08/31/2021
Or. Dept: READ
Doc. No.: 2749791

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 21 2021 .

ELIZABETH S. MALAND
City Clerk

By *Connie Patterson*
Deputy City Clerk

Approved: 10/1/21
(date)

 Todd Gloria
TODD GLORIA, Mayor

Vetoed:
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on SEP 21 2021, 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"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<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 OCT 01 2021.

(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.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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