

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO				CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) n/a	
TO: CITY COUNCIL		FROM (ORIGINATING DEPARTMENT): Real Estate Assets		DATE: 12/4/2015	
SUBJECT: REQUEST FOR AUTHORIZATION TO SELL 5 EXCESS CITY PROPERTIES (NORTH TERMINUS OF CAMPUS POINT DR., HEADQUARTERS POINT/SOUTH SIDE OF LUSK, TORREY PINES SCIENCE PARK/3050 CALLAN, 811 SOUTH 28TH ST, 540 W. LAUREL AND 2513/2515 UNION) AND PAY REAL ESTATE BROKER'S COMMISSIONS.					
PRIMARY CONTACT (NAME, PHONE): Mary Carlson,619-236-6079, MS 51A			SECONDARY CONTACT (NAME, PHONE): Cybele Thompson, 619-236-6145, MS 51A		
COMPLETE FOR ACCOUNTING PURPOSES					
FUND					
FUNCTIONAL AREA					
COST CENTER					
GENERAL LEDGER ACCT					
WBS OR INTERNAL ORDER					
CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00
FUND					
FUNCTIONAL AREA					
COST CENTER					
GENERAL LEDGER ACCT					
WBS OR INTERNAL ORDER					
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.	Thompson, Cybele	12/10/2015	
Environmental Analysis		CFO			
Financial Management		DEPUTY CHIEF			
Comptroller		COO			
		CITY ATTORNEY	Ables, Melissa		
		COUNCIL PRESIDENTS OFFICE			
PREPARATION OF:	<input checked="" type="checkbox"/> RESOLUTIONS	<input type="checkbox"/> ORDINANCE(S)	<input type="checkbox"/> AGREEMENT(S)	<input type="checkbox"/> DEED(S)	
1. Authorize the Mayor or his designee to sell City owned properties located at:					
<ul style="list-style-type: none">North terminus of Campus Point Drive, APN's 340-030-44, 340-080-55&62Headquarters Point/south side of Lusk, APN 340-090-55					

- Torrey Pines Science Park/3050 Callan, APN 340-010-45
- 811 South 28th Street, APN 550-011-01
- 540 W. Laurel/2513/2515 Union Street, APN 533-072-16

2. Authorize the Chief Financial Officer to accept and deposit the proceeds of the sales of Headquarters Point South/side of Lusk and Torrey Pines Science Park/3050 Callan and 811 South 28th Street, net of costs related to the individual sales, into the Capital Outlay Fund 400002.

3. Authorize the Chief Financial Officer to accept and deposit the proceeds of the sale of the north terminus of Campus Point Drive, net of costs related to the sale, into Capital Outlay Fund 400002 and, because 0.67 acres (1.59%) of the 42 acre parcel is located within a portion of Lot 1321, therefore, 1.59% of the total sale proceeds will be deposited in Capital Outlay Pueblo Land/Police Decentralization Fund 400006, to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes in accordance with Ordinance O-12685.

4. Authorize the Chief Financial Officer to accept and deposit the proceeds of the sale of 540 W. Laurel and 2513/2515 Union Street, net of costs related to the sale, into Fund 200118 Special Gas Tax St Improv.

5. Authorize the payment of real estate broker commissions for the sale of each property in conformance with San Diego Municipal Code Section 22.0905.

STAFF RECOMMENDATIONS:
Approve Requested Actions

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

COUNCIL DISTRICT(S):	1, 3, 6, 8
COMMUNITY AREA(S):	1- Torrey Pines, University 3- Uptown 6- Mira Mesa 8- Southeastern San Diego
ENVIRONMENTAL IMPACT:	See attached Environmental Statement (Exhibit A).
CITY CLERK INSTRUCTIONS:	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: 12/4/2015

ORIGINATING DEPARTMENT: Real Estate Assets

SUBJECT: REQUEST FOR AUTHORIZATION TO SELL 5 EXCESS CITY PROPERTIES (NORTH TERMINUS OF CAMPUS POINT DR., HEADQUARTERS POINT/SOUTH SIDE OF LUSK, TORREY PINES SCIENCE PARK/3050 CALLAN, 811 SOUTH 28TH ST, 540 W. LAUREL AND 2513/2515 UNION) AND PAY REAL ESTATE BROKER'S COMMISSIONS.
COUNCIL DISTRICT(S): 1, 3, 6, 8

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

DESCRIPTIVE SUMMARY OF ITEM:

Authorize the Mayor or his designee to sell 5 City owned properties at or above their appraised values and pay real estate broker commissions based on a percentage of the final sale price for each property:

- North terminus of Campus Point Drive, APN's 340-030-44, 340-080-55&62
- Headquarters Point, South side of Lusk, APN 340-090-55
- Torrey Pines Science Park/3050 Callan, APN 340-010-45
- 811 South 28th Street, APN 550-011-01
- 540 W. Laurel and 2513/2515 Union Street, APN 533-072-16

STAFF RECOMMENDATION:

Approve Requested Actions

EXECUTIVE SUMMARY OF ITEM BACKGROUND:

As part of the portfolio management plan for the City's real estate assets, City staff reviews the City's property inventory to determine which properties are no longer needed to support a municipal function. Factors considered when determining which properties should be sold include: 1) relief of potential liabilities and/or the cost of maintaining property; 2) property tax increment that will be created by returning the property to the tax rolls; 3) stimulation of the economy by providing opportunities for private sector investment; 4) generation of revenue.

Council Policy 700-10 states that City owned properties may become available for sale if at least one of the following criteria has been met: 1) the property is not currently used by a City department or does not support a municipal function; 2) the property is vacant has no foreseeable use by the City; 3) the property is a non-performing or under-performing asset and greater value can be generated by its sale; 4) significant economic development opportunities can be generated by selling the property. The proposed properties for sale meet the criteria for sale per the Council Policy.

The properties have been cleared for sale in accordance with California Government Code Section 54220. City departments were also notified and given an opportunity to retain the property. No City department has any current or foreseeable use for the properties.

The following properties (also listed on Exhibit B) have been determined to be excess to the City's needs:

- North terminus of Campus Point Drive, APN's 340-030-44, 340-080-55&62: 42 acres of unimproved land, portions within the Native American village of Ystagua (archaeological & tribal cultural resource site).
- Headquarters Point, South side of Lusk, APN 340-090-55, 10.32 acres of unimproved land.
- Torrey Pines Science Park/3050 Callan, APN 340-010-45, 3.182 acres of unimproved land.
- 811 South 28th Street, Former Logan Heights Library, APN 550-011-01: The old library, built in 1927, is potentially historically significant and eligible for designation. The building is vacant and in poor condition.
- 540 W. Laurel and 2513/2515 Union Street, Two Residential Structures: The property was purchased with Gas Tax Funds in the 1960's for Maple Canyon Road extension. The road extension was not constructed. The property (Site 11A) was designated for sale in 1980 and 1987 (R-252539 and R-268357). Since it was determined not to use the property for street purposes, only temporary interim uses of the property have been permissible. Due to slope issues, existing structures, and lack of connectivity to Maple Canyon Open Space, City staff cannot justify this location for park uses. The property requires upgrades. Since the property was acquired using Gas Tax Funds, the sale proceeds are required to be deposited into the Gas Tax Fund.

The properties were appraised by independent MAI designated appraisers who determined the fair market value of each property (see attached Exhibit B). The properties will be re-appraised at least once every twelve months until sold and the resulting fair market value of each property shall become the minimum acceptable sales price.

Commercial real estate brokers will be used to represent the City and facilitate the sale of each property. Brokerage firms were selected through Requests for Statement of Qualifications and then through Requests for Proposals for each property. Real estate commissions will be paid from the proceeds of the sales. Real estate commissions will be paid from the proceeds of the sales. Pursuing open market transactions using brokers and selling by negotiation will achieve the highest price for the City. Please see attached Exhibit B for additional information.

This item is requesting authorization to sell each property at or above its appraised value and pay real estate broker commissions based on a percentage of the final sale price for each property.

CITY STRATEGIC PLAN GOAL(S)/OBJECTIVE(S):

Goal #3: Create and sustain a resilient and economically prosperous City.

Objective #1: Create dynamic neighborhoods that incorporate mobility, connectivity, and sustainability.

FISCAL CONSIDERATIONS:

North terminus of Campus Point Drive, APN's 340-030-44, 340-080-55&62: proceeds from the sale, net of costs related to the sale, will be deposited in Capital Outlay Fund 400002 and, because a 0.67 acre portion of the property is located within a portion of Lot 1321, a 0.67 acre portion of the total sales proceeds will be deposited in Capital Outlay Pueblo Land/Police Decentralization Fund 400006 to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes in accordance with Ordinance O-12685.

Headquarters Point/South side of Lusk, APN 340-090-55: proceeds from the sale, net of costs related to the sale, will be deposited in the Capital Outlay Fund 400002.

Torrey Pines Science Park/3050 Callan, APN 340-010-45: proceeds from the sale, net of costs related to the sale, will be deposited in the Capital Outlay Fund 400002.

811 South 28th Street, APN 550-011-01: proceeds from the sale, net of costs related to the sale, will be deposited in the Capital Outlay Fund 400002.

540 W. Laurel and 2513/2515 Union Street, APN 533-072-18: proceeds from the sale, net of costs related to the sale, will be deposited into Special Gas Tax St Improv Fund 200118.

EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):

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

PREVIOUS COUNCIL ACTION and/or COMMITTEE ACTION:

This item will be heard at the Smart Growth and Land Use meeting on February 10, 2016.

An informational item regarding Excess Property Sales was presented to the Smart Growth and Land Use Committee on June 10, 2015.

R-303850, June 24, 2008 authorized sale of Torrey Pines Science Park at 3050 Callan at a minimum price of \$2,760,000.

O-12685, June 29, 1979 authorized the sale of certain portions of Pueblo Lot 1321 (North terminus of Campus Point Drive) provided that the proceeds be utilized to finance police substations and other permanent improvements for police purposes.

R-250383, October 9, 1979 ratified the election that authorized the sale of certain portions of Pueblo Lot 1321 (North terminus of Campus Point Drive).

Thompson, Cybele

Originating Department

Deputy Chief/Chief Operating Officer

RESOLUTION NO. R. 250383

OCT 9 1979

A RESOLUTION DECLARING THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION AND THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO, IN THE SAN DIEGO UNIFIED SCHOOL DISTRICT, AND IN THE SAN DIEGO COMMUNITY COLLEGE DISTRICT, ON SEPTEMBER 18, 1979.

WHEREAS, a municipal primary election was held in the City of San Diego, the San Diego Unified School District, and the San Diego Community College District, on Tuesday, September 18, 1979, pursuant to the provisions of Ordinance No. 12683 (New Series) for the purpose of nominating candidates; and

WHEREAS, a special municipal election was held in the City of San Diego on the same date, pursuant to the provisions of Ordinance No. 12686 (New Series) adopted June 29, 1979, which special election was consolidated with the municipal primary election for the purpose of submitting to the qualified voters of the City of San Diego one proposition relating to the City entering into an agreement with the United States Department of the Navy in connection with land within Balboa Park being used for Naval Hospital facilities, one proposition relating to the lease or sale of certain Pueblo Lands, one proposition to amend Sections 70 and 130 of the Charter of The City of San Diego and one proposition advising the Governor and the Legislature of the State of California of the will of the people of the City of San Diego to have enacted into law a reallocation of existing sales and use taxes, as follows:

PROPOSITION A

<p>PROPOSITION A. CITY OF SAN DIEGO CHARTER AMENDMENTS. AMEND SECTIONS 70 AND 130 OF THE CHARTER OF THE CITY OF SAN DIEGO.</p> <p>Shall the Charter of The City of San Diego be amended to permit the City Council to enter into an agree- ment with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of com- pensation in the appropriate annual salary ordinance?</p>	YES	
	NO	

PROPOSITION B

<p>PROPOSITION B. RATIFICATION OF ORDINANCE NO. 12685 (New Series).</p> <p>Shall Ordinance No. 12685 (New Series) entitled "AN ORDINANCE AUTH- ORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PRO- VIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES" adopted by this Council of The City of San Diego be ratified?</p>	YES	
	NO	

R- 250383

PROPOSITION C

<p>PROPOSITION C. ADVISING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA OF THE WILL OF THE PEOPLE OF THE CITY OF SAN DIEGO TO HAVE ENACTED INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.</p> <p>Should the Governor and Legislature of the State of California be advised that:</p> <p>It is the will of the people of the City of San Diego that the Governor and the Legislature apportion the existing six cents state sales and use tax so that two cents rather than the present one cent be allocated to be used by cities and counties for priority local services rather than by the state for state services or to the state surplus.</p> <p>It is understood that if the Governor and Legislature so act, any funds resulting therefrom which would cause the city to exceed a spending limit imposed by a vote of the people of the City of San Diego or the State of California shall, in accordance with the provisions of Section 77 of the City Charter, be returned to the people or expended for capital improvements.</p> <p>Further, it is the will of the people that the Governor and Legislature enact such allocation into law by no later than the first of May 1980, to avoid the unnecessary enactment by the people through the initiative process to cure legislative default.</p>	YES	
	NO	

PROPOSITION D

PROPOSITION D. Shall the City enter into an agreement with the United States Department of the Navy to return to the City, all right, title and interest in all land within Balboa Park presently used for Naval Hospital facilities in exchange for a leasehold interest of fifty (50) years, with a twenty-five (25) year option to renew, in an equal amount of land in the park, including approximately 40 acres of generally undeveloped Balboa Park property located in the Florida Canyon area, north and east of the present Naval Hospital facilities, for the purpose of developing new Naval Hospital facilities?	YES	
	NO	

; and

WHEREAS, a copy of the certificate of the Registrar of Voters of San Diego County canvassing the returns of the municipal primary election and the special municipal election, as certified to the City Clerk, has been duly received; and

WHEREAS, a canvass of these elections has been completed and the City Clerk has certified the results to the City Council; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Council finds and determines, pursuant to the provisions of Section 27.2206 of the San Diego Municipal Code, as follows:

I

The whole number of votes cast in the City was 150,360.

II

The whole number of votes cast in the San Diego Unified School District was 82,038.

III

The whole number of votes cast in the San Diego Community College District was 57,067.

IV

The total vote received by each municipal candidate and each candidate for the Board of Education of the San Diego Unified School District and each candidate for the Governing Board of Trustees of the San Diego Community College District at the municipal primary election is as follows:

A. FOR MAYOR (five-year term):

PETE WILSON	90,530
JOHN KELLEY	3,158
MICHAEL GOMEZ	1,804
RAUL GONZALEZ	963
SIMON CASADY	46,502
CHARLOTTE BUCHANAN	2,398
JERRY LESTER	1,677

PETE WILSON having received a majority of all votes cast is hereby declared elected to the office of Mayor.

B. FOR COUNCIL DISTRICT NO. 2 (four-year term):

BILL CLEATOR	4,103
JOYCE BEERS	1,852
AL BEST	1,117
BOB LINDFELT	1,043

JIM KELLEY-MARKHAM	692
LEE ELSTON	170
LOU RIDGEWAY	3,508
FRANCESCA CONDON	1,545
RUDY MURILLO	1,081
MAVIS MACFARLANE	949
BILL CHEVRIE	420

BILL CLEATOR and LOU RIDGEWAY are hereby declared to be the candidates for the office of Council District No. 2 in the general municipal election.

C. FOR COUNCIL DISTRICT NO. 4 (four-year term):

LEON WILLIAMS	5,846
ROLAND HOLMES	1,322
NORMA FREEMAN	2,511

LEON WILLIAMS and NORMA FREEMAN are hereby declared to be the candidates for the office of Council District No. 4 in the general municipal election.

D. FOR COUNCIL DISTRICT NO. 6 (four-year term):

STEVE WITTMAN	6,402
MEL GORHAM	2,533
DAN DRAMER	2,397
MARY CHRISTIAN-HEISING	1,396
MIKE GOTCH	3,766
ROBERT MILLER	2,480
ART LETTER	1,919

STEVE WITTMAN and MIKE GOTCH are hereby declared to be the candidates for the office of Council District No. 6 in the general municipal election.

E. FOR COUNCIL DISTRICT NO. 8 (four-year term):

LUCY KILLEA	6,021
RUTH SCHNEIDER	2,171
JOE DIAZ	3,893
WARREN NIELSEN	854

LUCY KILLEA and JOE DIAZ are hereby declared to be the candidates for the office of Council District No. 8 in the general municipal election.

F. FOR MEMBER OF BOARD OF EDUCATION DISTRICT A (four-year term):

ROBERT BACON	12,189
HAROLD HART	5,704
JOHN WITT	11,605

ROBERT BACON and JOHN WITT are hereby declared to be the candidates for Member of the Board of Education District A in the general municipal election.

G. FOR MEMBER OF BOARD OF EDUCATION DISTRICT D (four-year term):

DOROTHEA EDMISTON	13,440
JIMMIE SUE	1,858
BOB FILNER	11,148

DOROTHEA EDMISTON and BOB FILNER are hereby declared to be the candidates for Member of the Board of Education District D in the general municipal election.

H. FOR MEMBER OF BOARD OF EDUCATION DISTRICT E (four-year term):

JOE LITTLEJOHN	5,482
MARIO PALOMINO	3,139
ROY LANDERS	2,008
TOM JOHNSON	3,151
THEO LOGAN	2,258
ROBERT ARD	1,025

JOE LITTLEJOHN and TOM JOHNSON are hereby declared to be the candidates for Member of the Board of Education District E in the general municipal election.

I. FOR MEMBER OF GOVERNING BOARD OF TRUSTEES DISTRICT B (four-year term):

GENE FRENCH	14,429
ROBERT BENSON	8,071

GENE FRENCH and ROBERT BENSON are hereby declared to be the candidates for Member of the Governing Board of Trustees District B in the general municipal election.

J. FOR MEMBER OF GOVERNING BOARD OF TRUSTEES DISTRICT D (four-year term):

ROBERT JOHNSTON	17,005
TRUDY ROBIDEAU	7,708

ROBERT JOHNSTON and TRUDY ROBIDEAU are hereby declared to be the candidates for Member of the Governing Board of Trustees District D in the general municipal election.

V

The number of votes cast in the City for and against the proposition which appeared on the ballot as Proposition A

and the total number of votes cast upon such proposition are as follows:

PROPOSITION A:

For	49,024
Against	89,160
Total	138,184

This proposition did not receive the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have failed.

VI

The number of votes cast in the City for and against the proposition which appeared on the ballot as Proposition B and the total number of votes cast upon such proposition are as follows:

PROPOSITION B:

For	79,985
Against	60,097
Total	140,082

This proposition received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

VII

The number of votes cast in the City for and against the proposition which appeared on the ballot as Proposition C and the total number of votes cast upon such proposition are as follows:

PROPOSITION C:

For	102,350
Against	38,263
Total	140,613

This proposition received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

VIII

The number of votes cast in the City for and against the proposition which appeared on the ballot as Proposition D and the total number of votes cast upon such proposition are as follows:

PROPOSITION D:

For	89,897
Against	56,712
Total	146,609

This proposition received the affirmative vote of a simple majority of the qualified voters voting on it but did not receive the affirmative vote of a two-thirds majority of the qualified voters voting on it and therefore such proposition did not meet the requirements for the voluntary changed use of park land pursuant to Section 55 of the Charter of The City of San Diego.

IX

The number of votes in each precinct cast for each person and for and against each measure are recorded in the Election Returns Book, which book is a part of the records of this Council.

X

The City Clerk shall make public the results of the canvass of the municipal primary election and the special municipal election by publication of a copy of this resolution.

APPROVED: JOHN W. WITT, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:930.40
9/28/79
Or. Dept.: City Clerk

01163

Passed and adopted by the Council of The City of San Diego on OCT 9 1979,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Resolution
Number R-250383 Adopted OCT 9 1979

CERTIFICATE OF PUBLICATION

San Diego, City of
12th Floor, City Admin. Bldg.
202 C Street
San Diego, CA. 92101
Att: Rita Andrews

IN THE MATTER OF

NO.

THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION AND THE SPECIAL MUNICIPAL ELECTION

RESOLUTION NO. R-250383

A RESOLUTION DECLARING THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION AND THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO, IN THE SAN DIEGO UNIFIED SCHOOL DISTRICT, AND IN THE SAN DIEGO COMMUNITY COLLEGE DISTRICT, ON SEPTEMBER 18, 1979.

WHEREAS, a municipal primary election was held in the City of San Diego, the San Diego Unified School District, and the San Diego Community College District, on Tuesday, September 18, 1979, pursuant to the provisions of Ordinance No. 12663 (New Series) for the purpose of nominating candidates; and

WHEREAS, a special municipal election was held in the City of San Diego on the same date, pursuant to the provisions of Ordinance No. 12665 (New Series) adopted June 29, 1979, which special election was consolidated with the municipal primary election for the purpose of submitting to the qualified voters of the City of San Diego one proposition relating to the City entering into an agreement with the United States Department of the Navy in connection with land within Balboa Park being used for Naval Hospital facilities, one proposition relating to the lease or sale of certain Pueblo Lands, one proposition to amend Sections 70 and 130 of the Charter of The City of San Diego and one proposition advising the Governor and the Legislature of the State of California of the will of the people of the City of San Diego to have enacted into law a reallocation of existing sales and use taxes, as follows:

PROPOSITION A

PROPOSITION A. CITY OF SAN DIEGO CHARTER AMENDMENTS. AMEND SECTIONS 70 AND 130 OF THE CHARTER OF THE CITY OF SAN DIEGO.

YES

Shall the Charter of The City of San Diego be amended to permit the City Council to enter into an agreement with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of compensation in the appropriate annual salary ordinance?

NO

PROPOSITION B

PROPOSITION B. RATIFICATION OF ORDINANCE NO. 12685 (New Series).

Shall Ordinance No. 12685 (New Series) entitled "AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES" adopted by this Council of The City of San Diego be ratified?

YES

NO

PROPOSITION C

PROPOSITION C. ADVISING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA OF THE WILL OF THE PEOPLE OF THE CITY OF SAN DIEGO TO HAVE ENACTED INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.

I, Paula J. Santonocito,

am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

RESOLUTION NO. R-250383

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

October 23, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 23rd day of Oct., 1979.

Paula J. Santonocito

(Signature)

1165

INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.

Should the Governor and Legislature of the State of California be advised that:

It is the will of the people of the City of San Diego that the Governor and the Legislature apportion the existing six cents state sales and use tax so that two cents rather than the present one cent be allocated to be used by cities and counties for priority local services rather than by the state for state services or to the state surplus.

It is understood that if the Governor and Legislature so act, any funds resulting therefrom which would cause the city to exceed a spending limit imposed by a vote of the people of the City of San Diego or the State of California shall, in accordance with the provisions of Section 77 of the City Charter, be returned to the people or expended for capital improvements.

Further, it is the will of the people that the Governor and Legislature enact such allocation into law by no later than the first of May 1980, to avoid the unnecessary enactment by the people through the initiative process to cure legislative default.

YES

NO

PROPOSITION D

PROPOSITION D. Shall the City enter into an agreement with the United States Department of the Navy to return to the City, all right, title and interest in all land within Balboa Park presently used for Naval Hospital facilities in exchange for a leasehold interest of fifty (50) years, with a twenty-five (25) year option to renew, in an equal amount of land in the park, including approximately 40 acres of generally undeveloped Balboa Park property located in the Florida Canyon area, north and east of the present Naval Hospital facilities, for the purpose of developing new Naval Hospital facilities?

YES

NO

; and

WHEREAS, a copy of the certificate of the Registrar of Voters of San Diego County canvassing the returns of the municipal primary election and the special municipal election, as certified to the City Clerk, has been duly received; and

WHEREAS, a canvass of these elections has been completed and the City Clerk has certified the results to the City Council; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Council finds and determines, pursuant to the provisions of Section 27.2206 of the San Diego Municipal Code, as follows:

The whole number of votes cast in the City was 150,360.

The whole number of votes cast in the San Diego Unified School District was 82,038.

The whole number of votes cast in the San Diego Community College District was 57,087.

The total vote received by each municipal candidate and each candidate for the Board of Education of the San Diego Unified School District and each candidate for the Governing Board of Trustees of the San Diego Community College District at the municipal primary election is as follows:

A. FOR MAYOR (five-year term):

PETE WILSON	90,530
JOHN KELLEY	3,158
MICHAEL GOMEZ	1,804
RAUL GONZALEZ	983
SIMON CASADY	48,502
CHARLOTTE BUCHANAN	2,398
JERRY LESTER	1,877

PETE WILSON having received a majority of all votes cast is hereby declared elected to the office of Mayor.

B. FOR COUNCIL DISTRICT NO. 2 (four-year term):

BILL CLEATOR	4,103
JOYCE BEERS	1,852
AL BEST	1,117
BOB LINDFELT	1,043
JIM KELLEY-MARKHAM	892
LEE ELSTON	170
LOU RIDGEWAY	3,508
FRANCESCA CONDON	1,545
RUDY MURILLO	1,081
MAVIS MACFARLANE	949
BILL CHEVRIE	420

BILL CLEATOR and LOU RIDGEWAY are hereby declared to be the candidates for the office of Council District No. 2 in the general municipal election.

C. FOR COUNCIL DISTRICT NO. 4 (four-year term):

LEON WILLIAMS	5,848
ROLAND HOLMES	1,322
NORMA FREEMAN	2,511

LEON WILLIAMS and NORMA FREEMAN are hereby declared to be the candidates for the office of Council District No. 4 in the general municipal election.

D. FOR COUNCIL DISTRICT NO. 6 (four-year term):

STEVE WITTMAN	6,402
MEL GORHAM	2,533
DAN DRAMER	2,397
MARY CHRISTIAN-HEISING	1,396
MIKE GOTCH	3,768
ROBERT MILLER	2,480
ART LETTER	1,919

STEVE WITTMAN and MIKE GOTCH are hereby declared to be the candidates for the office of Council District No. 6 in the general municipal election.

E. FOR COUNCIL DISTRICT NO. 8 (four-year term):

LUCY KILLEA	6,021
RUTH SCHNEIDER	2,171
JOE DIAZ	3,893
WARREN NIELSEN	854

LUCY KILLEA and JOE DIAZ are hereby declared to be the candidates for the office of Council District No. 8 in the general municipal election.

F. FOR MEMBER OF BOARD OF EDUCATION DISTRICT A (four-year term):

ROBERT BACON	12,189
HAROLD HART	5,704
JOHN WITT	11,805

ROBERT BACON and JOHN WITT are hereby declared to be the candidates for Member of the Board of Education District A in the general municipal election.

MARY CHRISTIAN-HEISING	1,398
MIKE GOTCH	3,768
ROBERT MILLER	2,480
ART LETTER	1,919

STEVE WITTMAN and MIKE GOTCH are hereby declared to be the candidates for the office of Council District No. 6 in the general municipal election.

E. FOR COUNCIL DISTRICT NO. 8 (four-year term):

LUCY KILLEA	8,021
RUTH SCHNEIDER	2,171
JOE DIAZ	3,893
WARREN NIELSEN	854

LUCY KILLEA and JOE DIAZ are hereby declared to be the candidates for the office of Council District No. 8 in the general municipal election.

F. FOR MEMBER OF BOARD OF EDUCATION DISTRICT A (four-year term):

ROBERT BACON	12,189
HAROLD HART	5,704
JOHN WITT	11,805

ROBERT BACON and JOHN WITT are hereby declared to be the candidates for Member of the Board of Education District A in the general municipal election.

G. FOR MEMBER OF BOARD OF EDUCATION DISTRICT D (four-year term):

DOROTHEA EDMISTON	13,440
JIMMIE SUE	1,858
BOB FILNER	11,148

DOROTHEA EDMISTON and BOB FILNER are hereby declared to be the candidates for Member of the Board of Education District D in the general municipal election.

H. FOR MEMBER OF BOARD OF EDUCATION DISTRICT E (four-year term):

JOE LITTLEJOHN	5,482
MARIO PALOMINO	3,139
ROY LANDERS	2,008
TOM JOHNSON	3,151
THEO LOGAN	2,258
ROBERT ARD	1,025

JOE LITTLEJOHN and TOM JOHNSON are hereby declared to be the candidates for Member of the Board of Education District E in the general municipal election.

I. FOR MEMBER OF GOVERNING BOARD OF TRUSTEES DISTRICT B (four-year term):

GENE FRENCH	14,429
ROBERT BENSON	8,071

GENE FRENCH and ROBERT BENSON are hereby declared to be the candidates for Member of the Governing Board of Trustees District B in the general municipal election.

J. FOR MEMBER OF GOVERNING BOARD OF TRUSTEES DISTRICT D (four-year term):

ROBERT JOHNSTON	17,005
TRUDY ROBIDEAU	7,708

ROBERT JOHNSTON and TRUDY ROBIDEAU are hereby declared to be the candidates for Member of the Governing Board of Trustees District D in the general municipal election.

The number of votes cast in the City for and against the proposition which appeared on the ballot as Proposition A and the total number of votes cast upon such proposition are as follows:

PROPOSITION A:	
For	49,024
Against	89,180
Total	138,184

This proposition did not receive the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have failed.

The number of votes cast in the City for and against the proposition which appeared on the ballot as Proposition B and the total number of votes cast upon such proposition are as follows:

PROPOSITION B:	
For	79,985
Against	60,097
Total	140,082

This proposition received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

The number of votes cast in the City for and against the proposition which appeared on the ballot as Proposition C and the total number of votes cast upon such proposition are as follows:

PROPOSITION C:	
For	102,350
Against	38,263
Total	140,613

This proposition received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

The number of votes cast in the City for and against the proposition which appeared on the ballot as Proposition D and the total number of votes cast upon such proposition are as follows:

PROPOSITION D:	
For	89,897
Against	68,712
Total	148,609

This proposition received the affirmative vote of a simple majority of the qualified voters voting on it but did not receive the affirmative vote of a two-thirds majority of the qualified voters voting on it and therefore such proposition did not meet the requirements for the voluntary changed use of park land pursuant to Section 55 of the Charter of The City of San Diego.

The number of votes in each precinct cast for each person and for and against each measure are recorded in the Election Returns Book, which book is a part of the records of this Council.

The City Clerk shall make public the results of the canvass of the municipal primary election and the special municipal election by publication of a copy of this resolution.

Passed and adopted by the Council of The City of San Diego on October 9, 1979, by the following vote:

YEAS: Mitchell, Lowery, Williams, Schnaubelt, Gade, Stirling.

NAYS: None.

NOT PRESENT: O'Connor, Killea, Mayor Wilson.

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego,

California.

By RITA ANDREWS, Deputy.

(SEAL)
Pub. Oct. 23, 1979

Passed and adopted by the Council of The City of San Diego on OCT 9 1979,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Resolution
Number C-250383 Adopted OCT 9 1979

ORDINANCE NO. 12685
(New Series)

JUN 29 1979

AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. The City of San Diego be and it is hereby authorized and empowered to lease or sell all or any portion of the remaining unratified portions of Pueblo Lots 1316, 1317, 1318, 1321, 1351, 1353 and 1355 consisting of a total area of approximately 400 acres more or less. The aforementioned Pueblo Lots are located generally in the area of Interstate 805 in the University City area southerly of Sorrento Valley Boulevard, as more particularly shown on that plat on file in the office of the City Clerk as Document No. 766676.

Section 2. All leases or sales of the above described Pueblo Lots shall be made for the general purpose of accommodating scientific research activities, manufacturing research and development activities, corporate headquarters, high technological-like manufacturing activities and related or similar uses.

Section 3. All proceeds from lease or sales of the above described Pueblo Lots shall be placed into a Capital

Outlay Fund to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes.

Section 4. This ordinance requires ratification by the voters and being related to elections is of the kind and character authorized for passage on its introduction by Sections 16 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on the 18th day of September 1979, at which a proposition to ratify this ordinance shall be submitted.

APPROVED: JOHN W. WITT, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:930.40
6/20/79
Or. Dept.: Manager

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

JUN 29 1979

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Betty Gooding, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on
JUN 29 1979, said ordinance being of the kind and character
authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not
less than a majority of the members elected to the Council, and that there was available for the consideration
of each member of the Council and the public prior to the day of its passage a written or printed copy of said
ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Betty Gooding, Deputy.

Office of the City Clerk, San Diego, California

ATTORNEYS

City of San Diego
12th floor, City Admin. Bldg.
202 C St.
San Diego, CA 92101

Attn: Betty Goldberg

RECEIVED
CITY OF SAN DIEGO

JUL 20 11 4 04

CALIFORNIA, CALIF.

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

FINANCE POLICE SUBSTATIONS

**ORDINANCE NO. 12685
(New Series)**

AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. The City of San Diego do hereby authorize and empower to lease or sell all or any portion of the remaining unleased portions of Pueblo Lots 1316, 1317, 1318, 1321, 1351, 1353 and 1355 consisting of a total area of approximately 480 acres more or less. The aforementioned Pueblo Lots are located generally in the area of Interstate 805 in the University City area southerly of Sorrento Valley Boulevard, as more particularly shown on that plat on file in the office of the City Clerk as Document No. 78857.

Section 2. All leases or sales of the above described Pueblo Lots shall be made for the general purpose of accommodating scientific research activities, manufacturing research and development activities, corporate headquarters, high technological-like manufacturing activities and related or similar uses.

Section 3. All proceeds from lease or sales of the above described Pueblo Lots shall be placed into a Capital Outlay Fund to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes.

Section 4. This ordinance requires ratification by the voters and being related to elections is of the kind and character authorized for passage on its introduction by Sections 16 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on the 18th day of September 1979, at which a proposition to ratify this ordinance shall be submitted.

Passed and adopted by the Council of The City of San Diego on June 29, 1979, by the following vote:

YEAS: Mitchell, O'Connor, Gade, String, Kline, Wilson

NAYS: None

ABSENT: Lowery, Williams, Schnaubert

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City

of San Diego, California

CHARLES G. ABDELNOUR,

City Clerk of The City

of San Diego, California

By BETTY GOLDBERG,

Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on June 29, 1979, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR,

City Clerk of The City

of San Diego, California.

By BETTY GOLDBERG,

Deputy.

Printed July 23, 1979

69-7144

I, Paula J. Santonocito, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1969, Decree No. 14894; and the

**ORDINANCE NO. 12685
(New Series)**

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

July 12, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 16th day of July, 1979.

Paula J. Santonocito
Signature

93/4" - 8 59.18

RESOLUTION NUMBER R- 303850

DATE OF FINAL PASSAGE JUN 24 2008

AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL CERTAIN EXCESS CITY PROPERTY LOCATED AT **3050 CALLAN ROAD, SAN DIEGO, CA 92121 [APN 340-010-45]** EITHER BY NEGOTIATION, PUBLIC AUCTION, SEALED BID, OR BY ANY COMBINATION OF SUCH METHODS, AT THE MAYOR'S DISCRETION IN EACH CASE; AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS TO CONSUMMATE SUCH SALES; AUTHORIZING THE PAYMENT OF REAL ESTATE BROKERAGE COMMISSIONS RELATED TO SUCH SALES; AND AUTHORIZING THE AUDITOR AND COMPTROLLER TO ACCEPT AND DEPOSIT THE PROCEEDS OF SUCH SALES.

WHEREAS, this action requires the affirmative vote of five (5) members of the City Council [Council]; and

WHEREAS, The City of San Diego [City] is the fee owner of that certain real property [Property] located at **3050 CALLAN ROAD, SAN DIEGO, CA 92121 [APN 340-010-45]**, further identified as LOT 10 OF TORREY PINES SCIENCE PARK #2, and further described in Attachment "A," attached hereto; and

WHEREAS, the Council finds that at least one of the following criteria has been met: (1) the sale of the Property will provide revenues necessary for public facilities which are not fundable through other revenue sources; (2) the Property cannot be leased because of its location, access, topography, or other considerations; (3) the sale would enhance the City's position relative to other activities, such as economic development efforts; or (4) the sale would maximize the total economic return to the City; and

WHEREAS, an appraisal of the Property prepared or obtained by the City's Real Estate Assets Department [READ] has determined the fair market value [FMV] of the Property to be **Two Million Seven Hundred Sixty Thousand Dollars (\$2,760,000); and**

WHEREAS, the Property will be re-appraised at least once every twelve months until sold to revise the FMV, which READ will report to Council; provided, however, if a re-appraisal results in a fair market value below the minimum price set on the date of this Resolution, the Mayor shall seek Council approval prior to lowering the original minimum price; and

WHEREAS, the Council deems the FMV to be the minimum acceptable price to be obtained for the Property; and

WHEREAS, if after attempting to sell the Property at the FMV, the Mayor or his designee determines that the Property cannot be sold at or above the FMV, the Mayor shall seek review and additional direction from the Council as to the disposition of the Property; and

WHEREAS, the Council deems it in the best interests of the City to authorize the Mayor, or his designee, to sell the Property through negotiation, public auction, sealed bids, or any combination of such methods, in his discretion; and

WHEREAS, the Council deems it in the best interests of the City to authorize the Mayor, or his designee, 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 should 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 1.5% of the final sale price; and

WHEREAS, all brokerage participation and brokerage fees shall comply with San Diego Municipal Code section 22.0905, Broker's Fee and Registration; and

WHEREAS, upon the sale of the Property at a price greater than or equal to the FMV, the Council deems it in the best interests of the City to authorize the Mayor, or his designee, to execute and deliver, on behalf of the City, a purchase and sale agreement, grant deed, and all other agreements and documents necessary and on terms and conditions deemed by the Mayor, or his designee, to be reasonable and in the best interests of the City to consummate the sale; and

WHEREAS, the proceeds of the sale of the Property, net of brokerage commissions and other costs of selling the Property, will be accepted by the Auditor and Comptroller and deposited into the appropriate fund; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that that certain real property [Property] owned in fee by the City, located at **3050 CALLAN ROAD, SAN DIEGO, CA 92121 [APN 340-010-45]**, further identified as LOT 10 OF TORREY PINES SCIENCE PARK #2, and further described in Attachment "A," attached hereto, is excess City property and may be sold; and

BE IT FURTHER RESOLVED, the Property may only be sold for a price equal to or greater than **Two Million Seven Hundred Sixty Thousand Dollars (\$2,760,000)**; and

BE IT FURTHER RESOLVED, the Mayor, or his designee, is directed to have the Property re-appraised at least once every twelve months until sold, and the resulting fair market value of the Property shall become the minimum acceptable price, which the Mayor or his designee shall report to Council; provided, however, if a re-appraisal results in a fair market

value below the minimum price set on the date of this Resolution, the Mayor shall seek Council approval prior to lowering the original minimum price; and

BE IT FURTHER RESOLVED, the Mayor, or his designee, is authorized and directed to sell the property through negotiation, public auction, sealed bids, or any combination of such methods, in his discretion; and

BE IT FURTHER RESOLVED, the Mayor, or his designee, is authorized, in his discretion, to retain, on terms deemed by him to be reasonable and in the best interests of the City, the services of a real estate broker to represent the City and facilitate the sale of the Property, but real estate brokerage participation and brokerage fees shall not exceed 1.5% of the final sale price; and

BE IT FURTHER RESOLVED, the payment of real estate brokerage commissions related to the sale of the Property in compliance with San Diego Municipal Code section 22.0905, Broker's Fee and Registration, is authorized; and


BE IT FURTHER RESOLVED, the Mayor, or his designee, is authorized to execute and deliver, on behalf of the City, a purchase and sale agreement, grant deed, and all other agreements and documents necessary and on terms and conditions deemed by the Mayor or his designee to be reasonable and in the best interests of the City to consummate the sale; and

BE IT FURTHER RESOLVED, the Auditor and Comptroller is authorized and directed to accept the proceeds of the sale of the Property, net of brokerage commissions and other costs of selling the Property, and deposit them into the appropriate fund(s); and

BE IT FURTHER RESOLVED, if after attempting to sell the Property at the minimum price specified herein, the Mayor or his designee determines that the Property cannot be sold at or above the minimum acceptable price, the Mayor is directed to seek review and additional direction from the Council as to the disposition of the Property.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


Brock Ladewig
Chief Deputy City Attorney

BL:bas
05/23/08
Or.Dept:READ
R-2008-1099
MMS #6319

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 17 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6.24.08

(date)


JERRY SANDERS, Mayor

Vetoed: _____

(date)

JERRY SANDERS, Mayor

ATTACHMENT "A"

NAME	FILE#	APN	USE	SIZE/SF	SIZE/ ACRES	DIST	PURCHASE PRICE	BROKER	COMMISSION
Torrey Pines Science Park - Lot 10 3050 Callan Road, San Diego 92121	J207-1	340-010-45	Vacant Lot	138,608	3.182	1	\$2,760,000	CB Richard Ellis	1.5%
Total:							\$2,760,000		

R-303850

5/20/2008

Exhibit A

**Sale of 6 excess City properties
(Sorrento Valley Road West of I-805, North terminus of Campus Point Dr,
Headquarters Point/South side of Lusk, Torrey Pines Science Park/3050 Callan,
811 South 28th Street, 540 W. Laurel/2513/2515 Union St)**

Environmental Statement

Consistent with CEQA Guidelines section 15004, the mere authorization to sell properties at a specific price using a real estate broker, but no actual sale is pending and no offers have been received, is not the appropriate time to conduct environmental review because the City does not yet have sufficient meaningful information for environmental assessment. This action is not an approval of a project under CEQA Guidelines section 15352 as it does not commit the City to a definite course of action in regards to a project intended to be carried out. This authorization does not require that the City sell the property, even if an offer at or above the authorized price is received. Currently, the City does not know who the potential buyers may be or for what purpose they might wish to use the property. Only upon receipt of an offer that the City wishes to accept, can the City begin analyzing potential impacts of that particular transaction to the existing physical conditions of the property authorized for sale. This action will not foreclose review of alternatives or mitigation measures by the public as part of any future CEQA process. Formal approval of a future project will occur once an environmental review has been completed in accordance with the provisions of CEQA Section 15004 and the City's Land Development Code.

Sale of Certain Excess City properties
Exhibit B

Property	Acquisition Purpose/Notes	Restrictions/Historic/ Known Environmental/ MHPA	District/ Community	Appraised Value/ Minimum Sale Price	Broker/ Commis sion based on sales price	Sales Proceeds
<p>811 South 28th Street</p> <p>APN 550-011-01</p> <p>0.186 acres improved with former Logan Heights Library</p>	<p>Acquired for library in 1925.</p> <p>In December 2009, a new two-story, 25,000 -SF library opened, which was constructed on the Logan Elementary School site, adjacent to the Memorial Charter Middle School. The new facility replaced the old 2,960 SF library at 811 South 28th Street.</p> <p>The old library, built in 1927, is potentially historically significant and eligible for designation. The building is vacant and in very poor condition. In 2015, Public Works estimated that the site needs \$761,000 in improvements.</p>	<p>Built in 1927, and potentially historically significant and eligible for designation.</p> <p>Community plan land use is Institutional Use: Public or semi-public facilities including schools, libraries, police and fire facilities and cemeteries.</p>	<p>8 Southeastern San Diego</p>	<p>270,000</p>	<p>CBRE 6%</p>	<p>Capital Outlay Fund 400002</p>

This document is only meant to provide City Council with general information regarding the properties.

Property	Acquisition Purpose/Notes	Restrictions/Historic/ Known Environmental/ MHPA	District/ Community	Appraised Value/ Minimum Sale Price	Broker/ Commis sion based on sales price	Sales Proceeds
<p>540 W. Laurel and 2513/2515 Union Street</p> <p>APN 533-072-18</p> <p>0.68 acres improved with two residential homes</p>	<p>The property was purchased with Gas Tax Funds in the 1960's for Maple Canyon Road extension. The road extension was not constructed. The property (Site 11A) was designated for sale in 1980 and 1987 (R-252539 and R-268357).</p> <p>Since it was determined not to use the property for street purposes, only temporary interim uses of the property have been permissible.</p> <p>Due to slope issues, existing structures, and lack of connectivity to Maple Canyon Open Space, City staff cannot justify this location for park uses. The property needs repairs (estimated at \$1.4M).</p> <p>Since the property was acquired using Gas Tax Funds, the sale proceeds are required to be deposited into the Gas Tax Fund.</p>	<p>Union Street residence may be historically significant related to LGBTQ history.</p> <p>Preparing Historic Context Statement from 10/2015 – 9/2016 to address LGBTQ historic resources in San Diego</p> <p>Multi-family residential</p>	<p>3 Uptown</p>	<p>\$2,470,000</p>	<p>CBRE 4%</p>	<p>Gas Tax Fund 200118</p>

Property	Acquisition Purpose/Notes	Restrictions/Historic/ Known Environmental/ MHPA	District/ Community	Appraised Value/ Minimum Sale Price	Broker/ Commis sion based on sales price	Sales Proceeds
<p>North terminus of Campus Point Drive</p> <p>APN 340-030-44 and 344-080-55 & 62</p> <p>42 acres of unimproved land</p>	Acquired in 1966 for sale, lease or exchange.	<p>Within Native American Village of Ystagua (archaeological and tribal cultural resource site)</p> <p>MHPA</p> <p>0.665 acre portion of lot 1321 is restricted use Per O-12685</p>	1 University	\$4,070,000	Jones Lang LaSalle 2%	Capital Outlay Fund 400002 and 0.665 acre portion for police purposes in accordance with Ordinance O-12685.
<p>Headquarters Point, South side of Lusk</p> <p>APN 340-090-55</p> <p>10.32 acres of unimproved land</p>	Acquired in 2000 as settlement and exchange with San Dieguito Partnership.	<p>MHPA</p> <p>Potentially sensitive and sensitive vegetation</p>	6 Mira Mesa	\$3,580,000	Jones Lang LaSalle 3.25%	Capital Outlay Fund 400002
<p>Torrey Pines Science Park</p> <p>3050 Callan</p> <p>APN 340-010-45</p> <p>3.182 acres of unimproved land</p>	Repurchased in 1982 for resale.	Small portion may have sensitive and potentially sensitive vegetation	1 University	\$1,870,000	Jones Lang LaSalle 3.5%	Capital Outlay Fund 400002