

Ordinance No. 9474 (New Series)
COUNTY OF SAN DIEGO, CALIFORNIA

AN ORDINANCE AUTHORIZING A CONTRACT AGREEMENT FOR THE LEASING OF
8.23 ACRES OF VACANT PROPERTY IN SANTEE

WHEREAS, the County of San Diego ("the County") currently owns the vacant land at the northeast corner of Mission Gorge and Civic Center Drive;

WHEREAS, the County has determined that the property is surplus to County needs;

WHEREAS, the County has selected Ryan Companies US to be the Master Developer of approximately 104 acres of commercial property north of Mission Gorge Road in Santee;

WHEREAS, pursuant to Article 7.5, the County is authorized to undertake the lease of the County's surplus property pursuant to applicable law of the State of California, including Article 7-5 of Chapter 5 of Part 2 of Division 2 of Title 3 of the Government Code, consisting of Section 25515 through 25515.5 ("Article 7.5");

WHEREAS, the County released a Request for Qualifications (RFQ) to developers in California, Arizona, and Nevada;

WHEREAS, the County received qualifications and a statement of interest from four development firms, with all four meeting the minimum qualifications;

WHEREAS, the Board of Supervisors authorized the Director, Department of General Services to release a Request for Proposals (RFP) to master plans and bring development to approximately 104 acres of commercial property in Santee;

WHEREAS, the Board adopted a Resolution No. 00~406 at its regular open meeting on December 12, 2000, declaring it's intention to consider proposals to lease or sell the vacant property in Santee, authorizing the proposal process, and setting a time for a public meeting;

WHEREAS, the Board reserved the right to reject any and all proposals;

WHEREAS, the County received proposals from the three prequalified proposers;

WHEREAS, the County through the Chief Administrative Officer and his evaluation team, evaluated the proposals based on eight criteria (with emphasis given to A-D):

- A. Potential lease and/or sale revenue to the County.
- B. An achievable realization of the office park and quality employment
- C. Financial strength of the Master Developer.
- D. Agreement to Business Terms
- E. How well the proposal achieves a positive impact upon the economy.
- F. Whether the proposal provides credible support for anticipated market absorption.
- G. Site planning and project design.
- H. Whether the risks and requirements of the public sector are acceptable and reasonable.

WHEREAS, Government Code Section 25515.2 (a) requires that the Board adopt an ordinance authorizing any sale, lease, development, or Contract Agreement interest into pursuant to Article 7.5;

WHEREAS, pursuant to Government Code 25515.2 (b) notice of the time and place of a public hearing concerning the adoption of an ordinance authorizing a contract agreement was published in the San Diego Union on May 27, 2002 and June 3, 2002;

WHEREAS, pursuant to Government Code Section 25515.2 (b) the Board held a public hearing regarding the Lease Agreement on June 11, 2002;

WHEREAS, this Lease Agreement is within the scope of the REP as authorized by Resolution No.00406;

NOW THEREFORE, the Board of Supervisors of the County of San Diego ordains as follows:

Section 1 The Board finds that the foregoing recitals are true and correct.

Section 2 The Board hereby finds and reconfirms its determination that leasing the County's surplus property will result in economic benefits to the County.

Section 3 The Board hereby declares its determination that the Ground Lease Agreement with Ryan Companies US will result in the highest net return to the County.

Section 4 The Board hereby declares its determination that leasing the premises has more public benefit than the sale of the property due to the uncertainty of future use and development of the Santee property and the benefit of a long term income stream to the County.

Section 5 deliver the substantially

The Board hereby authorizes the Clerk of the Board to enter into, execute and Ground Lease Agreement between the County and Ryan Companies US in the form presented to the Board.

Section 6 The members of the Board and their authorized representatives, including the Chief Administrative Officer or his designated deputies and assistants, are individually and collectively authorized to execute any and all documents and agreements, and from time to time, to do and perform any all act and things consistent with the Ordinance and necessary or appropriate to carry the same effect and to carry out its purposes.

Section 7 This Ordinance shall become effective in accordance with Government Code Section 25123.

Approved as to Form and Legality

PASSED, APPROVED AND ADOPTED this 18th day of June, 2002.