

ORDINANCE NO. _____ (N.S.)

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT AND GROUND LEASE BY AND BETWEEN THE COUNTY OF SAN DIEGO AND BRIDGE HOUSING CORPORATION OR ITS AFFILIATE FOR LEASE AND DEVELOPMENT OF THE REAL PROPERTY LOCATED AT 1501/1555 SIXTH AVENUE IN THE CITY OF SAN DIEGO

The Board of Supervisors of the County of San Diego ordains as follows:

WHEREAS, the County of San Diego ("County") is the owner of real property consisting of .69 acres located at 1501/1555 Sixth Avenue, San Diego, CA (Assessor Parcel Numbers 534-014-04 and 534-014-12) ("Property"), and further described as:

Parcel No. 2017-0292-A

Lots 1 through 6 inclusive of Block 7 of Bay View Homestead, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 150, filed in the Office of the County Recorder of San Diego County, January 29, 1873.

WHEREAS, the County and BRIDGE Housing Corporation ("Developer") executed a Disposition and Development Agreement dated September 3, 2019 ("Original DDA") for lease and development of the Property; and

WHEREAS, the County and Developer wish to amend the Original DDA to document certain changes to the terms of the Original DDA, including revisions to the rent to be paid by Developer to the County; and

WHEREAS, the Chief Administrative Officer has recommended that the County approve a First Amendment to the Original DDA ("First Amendment") setting forth the amended terms and conditions for the ground lease and development of the Property by the Developer; and

WHEREAS, the attachments to the Original DDA, as amended by the First Amendment ("DDA"), include a Ground Lease Agreement and a Regulatory Agreement to be executed upon satisfaction of conditions set forth in the DDA, and

WHEREAS, Government Code section 25515.2 subsection (a) requires that an agreement for lease of property to be entered into under Government Code sections 25515 through 25515.5 be authorized by ordinance; and

WHEREAS, notice of the time and place of the public hearing concerning the adoption of this ordinance was published and mailed in accordance with Government Code section 25515.2 subsection (b); and

WHEREAS, pursuant to Government Code section 25515.2 subsection (b), the Board of Supervisors held a public hearing regarding adoption of this ordinance on August 31, 2021.

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

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

Section 2. The Board finds that the DDA will help meet the housing needs of the County by providing for development of low-income housing, and will result in an economic benefit by creating jobs and by generating housing for economically vulnerable persons within the County of San Diego.

Section 3. The Board finds that the public benefit of leasing the Property is expected to be greater than the public benefit which would result from the sale of the Property, and that a reasonable expectation exists that future public need justifies retention of the fee ownership of the Property.

Section 4. The Board authorizes the Director, Department of General Services, to execute the First Amendment with Developer or its affiliate, and to execute the attachments to the DDA, including the Ground Lease, and any other documents necessary to implement the DDA, its attachments, and this ordinance.

Section 5. The Board authorizes the Agency Director, Health and Human Services Agency, or designee, to execute the Regulatory Agreement in accordance with the DDA.

Section 6. The Board authorizes the Director, Department of General Services, or designee, and the Agency Director, Health and Human Services Agency, or designee, to perform any actions in furtherance or implementation of this ordinance, the DDA, and its attachments, including, without limitation, approval and execution of amendments to the Amended and DDA and its attachments as authorized under the DDA and its attachments.

Section 7. This ordinance shall be effective in accordance with Government Code section 25123.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By: Nate Slegers, Senior Deputy County Counsel