

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. R-03060
ADOPTED ON OCTOBER 26, 1999

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO IMPLEMENTING GENERAL REDEVELOPMENT AND THE MEMORANDUM OF UNDERSTANDING REGARDING THE REDEVELOPMENT PROJECT AND PROPOSED BALLPARK BY APPROVING AND ADOPTING THE FIRST AMENDMENT TO THE CENTRE CITY EAST FOCUS PLAN.

WHEREAS, on November 3, 1998, the electorate of the City of San Diego (the "City") approved Ordinance No. O-18613 (the "Ordinance") which authorized the City and the Redevelopment Agency of The City of San Diego (the "Agency") to enter into a Memorandum of Understanding Concerning a Ballpark District, Construction of a Baseball Park, and a Redevelopment Project (the "MOU"), within the Centre City East (East Village) Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project; and

WHEREAS, the Ordinance provided that it was the intent of the electorate that the Ordinance and the MOU constitute the legislative acts establishing policy for the City on those matters, and provided for the ways and means for the implementation of that policy by such administrative and non-legislative acts as may be necessary and appropriate to carry out the purpose and intent of the Ordinance; and

WHEREAS, the MOU has been executed by all parties thereto; and

WHEREAS, it is now fitting to consider such actions as may be necessary and

appropriate to implement the purpose and intent of the Ordinance and MOU, consistent with both the City's and Agency's obligations under state law, and the discretion lawfully vested in the City Council acting on behalf of the City and Agency; and

WHEREAS, the Agency has determined that it should develop a strategy and specific actions which implement plans and programs to improve the Centre City Redevelopment Project Area in conformance with the Redevelopment Plan; and

WHEREAS, the Agency has determined that it should identify specific strategies obtained through public input for implementation which may include more specific geographical and topical "Focus Plans;" and

WHEREAS, the Agency by Resolution No. 2407 approved on July 26, 1994 adopted the Centre City East Focus Plan establishing goals and objectives and policies for the use of Agency funds, and describing initial redevelopment activities for the Centre City East (East Village) Redevelopment District of the Expansion SubArea of the Centre City Redevelopment Project; and

WHEREAS, the Agency has recommended to the City Council the proposed Third Amendment to the Redevelopment Plan for the Centre City Redevelopment Project Pertaining to the Sports/Entertainment District and Related Matters, which would permit the development of a baseball park and related activities in East Village; and

WHEREAS, the Agency has determined that it is desirable and in the public interest to amend and modify the Centre City East Focus Plan to accommodate the development contemplated by a Memorandum of Understanding authorized by Ordinance No. O-18613 of the Council with respect to a baseball park and related activities in East Village, if a ballpark is developed thereunder; and

WHEREAS, in order to accommodate the baseball park and related activities

contemplated by such Memorandum of Understanding, the Agency has prepared a proposed First Amendment to the Centre City East Focus Plan [the First Amendment]; and

WHEREAS, after due notice, a public hearing was held by the Agency to consider the proposed First Amendment to the Centre City East Focus Plan; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of San Diego, as follows:

1. The proposed First Amendment to the Centre City East Focus Plan is hereby approved and adopted. A copy of the First Amendment is on file in the office of the Secretary to the Agency as Document No. D-03060.

2. The First Amendment to the Centre City East Focus Plan shall become effective concurrently with the effective date of the Third Amendment to the Redevelopment Plan for the Centre City Redevelopment Project approved and adopted by the Council on or about the date of this Resolution.

3. The First Amendment to the Centre City East Focus Plan shall terminate and be of no further force and effect, if at all, on the date of adoption of a resolution by the Council abandoning its efforts to develop a baseball park within the Sports/Entertainment District of East Village as authorized by Ordinance No. O-18613. If the First Amendment is so terminated, then all provisions of the Centre City East Focus Plan in effect upon the effective date of the First Amendment shall be automatically reinstated. If the City commences construction of a baseball park within the Sports/Entertainment District as authorized by Ordinance No. O-18613 prior to termination of the First Amendment as provided above, then the termination provision above shall be null and void and the First Amendment (and the provisions of the Centre City East Focus Plan as amended thereby) shall remain in full force and effect. Notwithstanding the termination of the First Amendment, if applicable, properties with respect to which development

rights have vested due to the issuance of building permits or other such entitlements during the period in which the First Amendment is effective, may continue to be implemented in accordance with the terms and conditions of such entitlements.

APPROVED: CASEY GWINN, General Counsel

By

Douglas K. Humphreys
Deputy General Counsel

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