

(RA-2000-74)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03101

ADOPTED ON FEBRUARY 1, 2000

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE USE OF HOUSING SET-ASIDE FUNDS FROM THE GATEWAY CENTER WEST REDEVELOPMENT PROJECT AREA FOR OFF-SITE IMPROVEMENTS IN THE CENTRAL IMPERIAL REDEVELOPMENT PROJECT AREA AND MAKING FINDINGS THAT SUCH USE IS NECESSARY TO ELIMINATE A SPECIFIC CONDITION THAT JEOPARDIZES THE HEALTH OR SAFETY OF EXISTING LOW- OR MODERATE-INCOME RESIDENTS AND THAT THE USE WILL BE A BENEFIT TO THE PROJECT AREA AND APPROVING THE PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS.

WHEREAS, a particular group of homes in the Central Imperial Redevelopment Project area is situated along Ocean View Boulevard in the 100-year flood plain of Las Chollas Creek; and

WHEREAS, in order to protect these homes, the Redevelopment Agency of The City of San Diego [the Agency] seeks to construct channel improvements, including building a berm and installing landscaping and fencing, to Las Chollas Creek along the rear portions of these properties; and

WHEREAS, in order to install these improvements, it is necessary to purchase the parcel of property to provide for the right of ingress and egress to the Agency, on behalf of The City of San Diego; and

WHEREAS, pursuant to California Community Redevelopment Law (Health & Safety Code section 33000 et seq.) [the Law], the Agency can use housing set-aside funds to improve real property with off-site improvements if the Agency finds that the improvements are necessary to eliminate a specific condition that jeopardizes the health or safety of existing low- or moderate- income residents; and

WHEREAS, pursuant to the Law, the Agency can use housing set-aside funds outside the project area upon a finding that the use will be of benefit to the project area; and

WHEREAS, the Central Imperial Redevelopment Project area does not have sufficient housing set-aside funds available to pay for the project; and

WHEREAS, the Agency desires to use housing set-aside funds from the Gateway Center West Redevelopment Project area to fund the project; NOW, THEREFORE,

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

1. That the Agency finds that the channel improvements along the 100-year flood plain of Las Chollas Creek are necessary to eliminate a specific condition that jeopardizes the health or safety of existing low- or moderate-income residents.

2. That the Agency finds that use of Gateway Center West Redevelopment Project area housing set-aside funds in the Central Imperial Redevelopment Project area will be of benefit to the Gateway Center West Redevelopment Project area by enhancing the housing and eliminating blight in a nearby area.

3. That the Executive Director of the Agency is authorized to execute, for and on

behalf of the Agency, a Purchase and Sale Agreement and Escrow Instructions with Fortune Fund, for the purpose of acquiring title to the Property for the Agency, under the terms and conditions set forth in the Agreement and Escrow Instructions on file in the office of the Secretary to the Agency as Document No. D-03100.

APPROVED: CASEY GWINN, General Counsel

By

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Deputy Counsel

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