

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03163

ADOPTED ON MAY 16, 2000

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO MAKE CONTINGENT OFFERS FOR THE ACQUISITION OF CERTAIN PROPERTY IN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA AND TO SELL THE ACQUIRED PROPERTY FOR DEVELOPMENT OF A MIXED USE PROJECT, THE URBAN VILLAGE TOWN HOMES AND OFFICE CENTER PROJECT; APPROVING THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH THE SAN DIEGO REVITALIZATION CORPORATION PERTAINING THERETO; AMEND THE AGENCY BUDGET TO ACCEPT AND EXPEND THE NON- REFUNDABLE DEPOSIT OF \$25,000, DEVELOPER LOAN OF \$5,115,000, AND DEVELOPER ADVANCES, AS MAY BE NEEDED FOR ACQUISITION AND/OR RELOCATION EXPENSES; DIRECTING STAFF TO USE ITS BEST EFFORTS TO IMPLEMENT AND ACCOMMODATE THE PROJECT AREA COMMITTEE'S RECOMMENDED CONDITIONS FOR THE DEVELOPMENT AS CLARIFIED AND MODIFIED BY STAFF; AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE PROPOSED PROPERTY ACQUISITION.

WHEREAS, the Redevelopment Agency of The City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the City Heights Redevelopment Project [Project]; and

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency proposes to make contingent offers for the acquisition of certain property in the Project area for the development of a mixed use project, and to sell the property, once acquired, for the Urban Village Town Homes and Office Center Project [Development], pursuant to the terms and provisions of a certain Disposition and Development Agreement [Agreement] with San Diego

Revitalization Corporation, which Agreement contains a description of the property and provides for the construction of the Development thereon to be acquired by the Agency; and

WHEREAS, the Developer has submitted to this Agency and the Council of The City of San Diego copies of the proposed Agreement in a form desired by the Developer; and

WHEREAS, the City Heights Project Area Committee [PAC] met on May 8, 2000, and the PAC Project Subcommittee moved to recommend to the Agency and the Council of The City of San Diego to accept the Agreement for the Development with certain conditions; and

WHEREAS, Agency staff has met with the Developer and has prepared a response to each of the PAC's recommended conditions; and

WHEREAS, the Developer is willing to work with the Agency, the City, and the community to implement and accommodate the PAC's recommended conditions as clarified and modified by Staff as set out in the attached Memorandum to the Honorable Mayor and City Council/Chair and Members of the Redevelopment Agency, dated May 10, 2000; and

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety Code section 33000 et seq.) this Agency and the City Council held a joint public hearing on the proposed sale of real property pursuant to the Agreement; having duly published notice of the public hearing and made copies of the proposed Agreement and other reports and documents available for public inspection and comment; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed sale of real property and believes that the development of the real property pursuant to the proposed Agreement is in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law and requirements; NOW, THEREFORE,

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

follows:

1. That the Executive Director of the Agency is authorized to make contingent offers for property acquisition as set forth in the Agreement.

2. That the Agency recognizes that it has received and heard all oral and written objections to the proposed Agreement, to the proposed sale of the real property pursuant to the proposed Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

3. That the Agency finds and determines that the consideration to be paid to the Agency for the sale of the real property as described in the Agreement is not less than fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale.

4. That the Agency finds and determines that the sale of the real property will assist in the elimination of blight within the Project area, and is consistent with the Implementation Plan for the Project area adopted pursuant to Section 33490 of the California Community Redevelopment Law.

5. That the sale of the real property and the Agreement which establishes the terms and conditions for the sale and development of the real property are approved.

6. That the Executive Director of the Agency, or designee, is authorized to execute the Agreement on behalf of the Agency, provided that the City Council has first approved the Agreement and the sale of the real property pursuant thereto. A copy of the Agreement, when executed by the Agency, shall be placed on file in the office of the Secretary of the Agency as Document No. D-03163.

7. That the Agency directs the Agency staff to use their best efforts to implement and accommodate each of the PAC's recommended conditions as clarified and modified by Staff

as set out in the attached Memorandum to the Honorable Mayor and City Council/Chair and Members of the Redevelopment Agency, dated May 10, 2000.

8. That the Agency authorizes a budget amendment to accept and expend the Non-refundable Deposit of \$25,000, Developer Loan of \$5,115,000, and Developer advances, as may be needed for sale and/or relocation expenses.

9. That the Executive Director of the Agency, or designee, is authorized, on behalf of the Agency, to sign all documents necessary and appropriate to carry out and implement the Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under said Agreement.

APPROVED: CASEY GWINN, General Counsel

By

Douglas K. Humphreys
Deputy General Counsel

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