

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03355

ADOPTED ON JULY 10, 2001

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF
SAN DIEGO AMENDING THE FISCAL YEAR 2002 BUDGET FOR
SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION

WHEREAS, on March 30, 1999, the Council of the City of San Diego [City Council] and the Redevelopment Agency of the City of San Diego [Agency] approved a Disposition and Development Agreement [DDA] between the Agency and Pacific Development Partners for the development of the Imperial Marketplace Project, within the Central Imperial Redevelopment Project Area [Project Area] of the City; and

WHEREAS, the DDA contemplated the construction of certain public improvements within the Project Area; and

WHEREAS, the City is engaged in activities necessary to carry out and implement certain public improvements within the Project Area; and

WHEREAS, in conjunction with the public improvement activities, and in order to carry out and implement the Central Imperial Redevelopment Plan [Redevelopment Plan], the Agency by Resolution No. R-03076, adopted November 23, 1999, authorized the transfer of \$5,885,000 from the Fiscal Year 2000 Southeastern Economic Development Corporation [SEDC] Project Budget to the City for Capital Improvement Project [CIP] No. 52-677.0 [Project]; and

WHEREAS, in order to carry out and implement the Project, the Council, by Resolution No. R-292483, adopted November 23, 1999, authorized the City Manager or the President of SEDC to award a contract for the construction of the Project, provided that the City Auditor and Comptroller furnish a certificate showing that the funding is, or will be, on deposit in the City Treasury, expected to come from various sources, including funds provided by the Developer; and

WHEREAS, the City Auditor and Comptroller has issued the necessary certificate, and the City has entered into a contract with Erreca Inc. for construction of the Project [Contract]; and

WHEREAS, on April 11, 2000, Resolution No. R-03137, the Agency approved a First Implementation Agreement to the DDA making certain revisions to the DDA, Scope of Development, Loan Agreement and Public Use Lease, and reduced the amount of the Agency's loan from \$1,935,000 to \$1,115,000; and

WHEREAS, on August 15, 2000, by Resolution No. R-03212, the Agency approved the Second Implementation Agreement to the DDA, and the City Council approved the Second Amended and Restated Public Use Lease, making certain revisions to the Scope of Development and reducing the Developer's Financial Obligations on the Public Improvements from \$3.95 million to \$3.5 million; and

WHEREAS, on October 24, 2000, by Resolution No. R-03256, the Agency approved the Third Implementation Agreement to the DDA increasing the Agency's obligation to the Developer by \$100,000 due to the penalty imposed by Home Depot for late delivery of the site, increasing the total owed to the Developer to \$3.6 million; NOW, THEREFORE,

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

1. That it amends the Fiscal Year 2002 Redevelopment Agency Budget by: (a) transferring \$190,000 of land sale proceeds from Central Imperial Fund 98770 to Fund 98780; (b) accepting \$852,000 from Community Development Block Grant [CDBG] funds to Fund 98780; (c) increasing the appropriation for Central Imperial Fund 98780 in the amount of \$1,449,000, including \$407,000 from the Central Imperial Bonds, \$190,000 from land sale proceeds, and \$852,000 from CDBG loans to provide funds towards the Agency's contribution of \$5,885,000 for the off-site public improvements for the Imperial Marketplace, CIP # 52-677.0 Imperial Avenue/Ocean View Boulevard Public Improvements.

2. That the City Auditor and Comptroller is directed to record the \$852,000 as an interest bearing loan to the City of San Diego to be repaid as soon as practicable from tax increment or other appropriate revenues.

APPROVED: CASEY GWINN, General Counsel

By:

Douglas K. Humphreys
Deputy General Counsel

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