

REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NUMBER R-03797  
ADOPTED ON JULY 27, 2004

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING AN AMENDMENT TO THE EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND SAN DIEGO CONVENTION CENTER CORPORATION FOR THE HISTORIC REHABILITATION OF THE BALBOA THEATRE WITHIN THE HORTON PLAZA REDEVELOPMENT PROJECT.

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 Horton Plaza Redevelopment Project; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency entered into an Exclusive Negotiation Agreement [ENA] dated August 3, 2003, with San Diego Convention Center Corporation [Corporation], for the preparation of a Disposition and Development Agreement for the rehabilitation, operation and management of the Balboa Theatre property [Theatre] in the Horton Plaza Redevelopment Project; and

WHEREAS, during the course of these negotiations, Agency and Corporation determined that the terms and conditions of the ENA have changed; and

WHEREAS, the Agency and Corporation have determined that the rehabilitation, operation and management of the Theatre is best accommodated through a cooperation agreement [cooperation agreement] among the Agency, Corporation and the City of San Diego,

and a long term lease agreement with nominal rent between the Agency and Corporation for the management and operation of the Theatre; NOW THEREFORE,

BE IT RESOLVED by the Redevelopment Agency of the City of San Diego that the Executive Director, or designee, is hereby authorized to execute for and on behalf of the Agency, an Amendment to Exclusive Negotiation Agreement No. 03635 with the San Diego Convention Center Corporation for the purpose of good faith negotiations toward the terms and conditions of a cooperation agreement and a long term lease agreement with nominal rent between Agency and Corporation for the management and operation of the Theatre pursuant to the terms and conditions set forth in that Amendment to Exclusive Negotiation Agreement No. 03635, a copy of which is no file in the office of the secretary to the Agency as Document No. D-03797

APPROVED: CASEY GWINN, General Counsel

By \_\_\_\_\_  
Douglas K. Humphreys  
Deputy Counsel

DKH:ai  
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Or.Dept:CCDC  
Aud.Cert:n/a  
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