

*KHA 1 RA mtg
Items 1, 2, + 3*
(RA-2007-72)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04109

DATE OF FINAL PASSAGE MAR 05 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE THE PURCHASE AND SALE AGREEMENT WITH THAN TRANG AND MUI LINH TIET TRANG, CHENG LY AND CANDY LY, DE THAI AND HOA LAM, TRUSTEES, OR SUCCESSORS IN TRUST, UNDER THE DE THAI AND HOA LAM FAMILY REVOCABLE TRUST, AND MUI THIEN MIU, TRUSTEE OF THE THO QUAN TRUONG AND MUI THIEN MIU REVOCABLE TRUST, AND LOAN AGREEMENT WITH PRICE CHARITIES FOR THE ACQUISITION OF THE REAL PROPERTY LOCATED AT 4102-4122 UNIVERSITY AVENUE IN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA.

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 Area [Project]; and

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency proposes to acquire certain real property located at 4102-4122 University Avenue, San Diego, California [Site] from ThanTrang and Mui Linh Tiet Trang, Cheng Ly and Candy Ly, De Thai and Hoa Lam, Trustees, or Successors in Trust, under the De Thai and Hoa Lam Family Revocable Trust, and Mui Thien Miu, Trustee of the Tho Quan Truong and Mui Thien Miu Revocable Trust [Owners] in order to have the property developed into a mixed-use redevelopment project; and

WHEREAS, the Owners have submitted to the Agency copies of a proposed Purchase and Sale Agreement for the Agency acquisition of the Site; and

WHEREAS, Price Charities has proposed to enter into a Loan Agreement with the Agency to advance funds for the Agency to acquire and develop the Site; 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, or designee, is authorized to execute, for and on behalf of the Agency, the Purchase and Sale Agreement with the Owners of the Site.
2. That the Executive Director or designee is authorized to execute a Loan Agreement with Price Charities for acquisition of the property located at 4102-4122 University Avenue and to accept the proceeds from the Loan Agreement of \$2,000,000. D- 04109a
3. That the Executive Director or designee is authorized to Amend the Fiscal Year 2007 Redevelopment Agency budget to appropriate and expend \$2,300,000 for the acquisition of the property located at 4102-4122 University Avenue in the City Heights Redevelopment Project Area. A copy of the Purchase and Sale Agreement and Loan Agreement are on file in the office of the Secretary to the Agency as Document No. D- 04109

BE IT FURTHER RESOLVED that this activity is not a "project" and is therefore not subject to the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3). This determination is predicated on Section 15004 of the Guidelines, which provides direction to lead agencies on the appropriate timing for environmental review. Construction activities

related to the future development of the site will require additional review under the provisions of CEQA.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By Carol A. Leone
Carol A. Leone
Deputy Counsel

CAL:cfq
02/12/07
Or.Dept:R.A.
RA-2007-72
MMS#4037
AC#: 2700551

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of FEB 27 2007.

REDEVELOPMENT AGENCY

By Jeannette Santos
Jeannette Santos, Deputy Secretary

Approved: 3.5.07
(date)

Jerry Sanders
JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on FEB 27 2007, by the following vote:

Agency Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 05 2007

AUTHENTICATED BY:

JERRY SANDERS

Executive Director of The City of San Diego, California.

ELIZABETH S. MALAND

Secretary of The City of San Diego, California.

(Seal)

By , Deputy

Office of the Redevelopment Agency, San Diego, California

Resolution Number R-04109

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700551

ORIGINATING

DEPT. NO.: 10275

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$300,000.00

Vendor: Virious Trustees

Purpose: Authorizing the expenditure of funds for the purpose of executing a Purchase and Sale Agreement with the property owners for acquisition of the property located at 4102-4122 University Avenue.

Date: February 13, 2007 By: Weihong Dai
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	98200	9823	2004	4638	002004				\$300,000.00
TOTAL AMOUNT										\$300,000.00

FUND OVERRIDE

AC 2700551