

RA# 2
Items 1 & 2
(RA-2007-86)
RA mty
4/10/07

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04129

DATE OF FINAL PASSAGE APR 19 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE SECOND IMPLEMENTATION AGREEMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT WITH CJUF SMART CORNER, LLC FOR THE SMART CORNER PROJECT -- CORE REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is involved in activities necessary to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project [Project]; and has adopted an Implementation Plan for the Centre City Redevelopment Project in accordance with California Health and Safety Code Section 33490 [Implementation Plan]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency entered into a certain Disposition and Development Agreement, dated July 31, 2003, and on file in the office of the Secretary to the Agency as Document No. D-03665/R-03665, and the First Implementation Agreement to the Disposition and Development Agreement, dated September 10, 2004, and on file in the Office of the Secretary of the Agency as Document No. D-03800a/R-03800a referred to below as the Agreement; and

WHEREAS, in order to carry out and implement the Development under the Agreement, the Agency and CJUF Smart Corner, LLC [Developer] propose to (pursuant to terms and conditions of the Second Implementation Agreement) to (a) clarify certain terms in the Purchase

Money Note; and (b) to set forth the Parties' agreement to modify certain affordability restrictions in the Grant Deed, and to clarify the Agency's Program Guidelines.

WHEREAS, the Centre City Development Corporation, Inc. [CCDC] has reviewed and discussed said proposed Second Implementation Agreement and has recommended that the Agency enter into the Second Implementation Agreement; and

WHEREAS, the Agency has duly considered the recommendations of CCDC and all terms and conditions of the proposed Second Implementation Agreement 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 a accord with the public purposes and provisions of applicable state and local law and requirements; and

WHEREAS the Agency certified, on July 29, 2003, by Resolution No. 03667, that the Agency had reviewed and considered information in the Master Environmental Impact Report [MEIR] for the Centre City Redevelopment Project, the Subsequent Environmental Impact Report [SEIR] for the Proposed Ballpark and Ancillary Development Projects and the Environmental Secondary Study with respect to the proposed Agreement between the Agency and Lankford and Associates, Inc. relating to the "Smart Corner" project. Based on the environmental analysis contained in the Secondary Study, the proposed action will not have any significant effect on the environment other than as identified in the MEIR/SEIR; NOW, THEREFORE,

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

1. That the information contained in the MEIR/SEIR and the Secondary Study has been reviewed and considered by the Agency and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline section

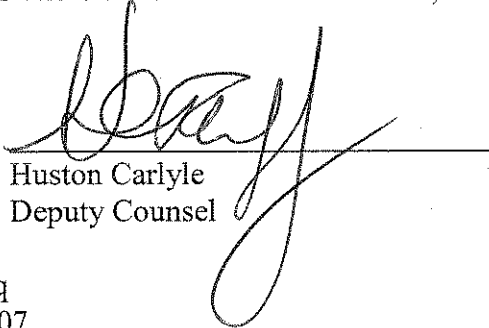
15162 would warrant any additional environmental review in connection with the approval of the Second Implementation Agreement to the Agreement.

2. That the Agency approves the Second Implementation Agreement with CJUF Smart Corner, LLC, a copy of which is on file in the Office of the Secretary of the Agency Document No. D-04129.

3. That the Executive Director of the Agency (or his designee), is hereby authorized on behalf of the Agency, to sign all documents necessary and appropriate to carry out and implement the Agreement as amended by the Second Implementation Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under said Agreement.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

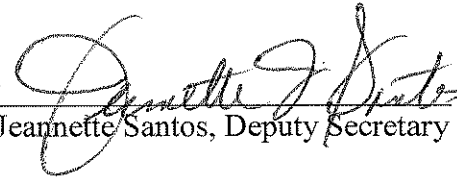
By


Huston Carlyle
Deputy Counsel

CH:cfq
03/09/07
Or.Dept:CCDC
RA-2007-86
MMS#4512

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of APR 10 2007.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 4.19.07
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on APR 10 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 19 2007

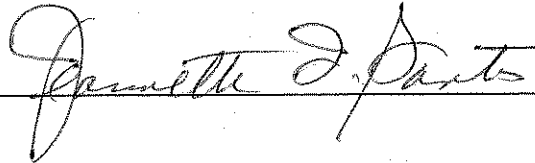
AUTHENTICATED BY:

JERRY SANDERS
Executive Director of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
Secretary of The City of San Diego, California.

By



Deputy

Office of the Redevelopment Agency, San Diego, California.

Resolution Number R- 04129