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4/24/07 RAMEY
(RA-2007-91)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

04134

RESOLUTION NUMBER R-

APR 27 2007

DATE OF FINAL PASSAGE

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE SECOND IMPLEMENTATION AGREEMENT TO OWNER PARTICIPATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND PINNACLE BAYSIDE DEVELOPMENT US L.P. – EAST VILLAGE REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY 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 Centre City Redevelopment Project Area [Project Area]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency has theretofore entered into that certain Owner Participation Agreement dated October 12, 2005, as amended by that certain First Implementation Agreement dated August 6, 2006 [the Owner Participation Agreement and the First Implementation Agreement collectively referred to herein as the "Agreement"]; and

WHEREAS, in order to further implement the development under the Agreement, the Agency and Developer propose (pursuant to the terms and conditions of the Second Implementation Agreement) to amend the Agreement to permit the construction of certain improvements in advance of the time previously allowed by the Agreement; and

WHEREAS, the Developer has submitted to the Agency copies of the proposed Second Implementation Agreement in a form desired by the Developer; and

WHEREAS, the Agency has duly considered all of the terms and conditions of the Second Implementation Agreement and believes that the conditions contained in the proposed Second Implementation Agreement are in the best interest 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 proposed Second Implementation Agreement and the terms and conditions thereof are approved.
2. That the Executive Director of the Agency, or designee, is authorized to execute the Second Implementation Agreement for and on behalf of the Agency. A copy of the Second Implementation Agreement is on file in the office of the Secretary to the Agency as Document No. D- 04134
3. 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 Second Implementation Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Second Implementation Agreement.

BE IT FURTHER RESOLVED, the Agency certified, on October 11, 2005, by Resolution No. 03959 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] to the MEIR for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments, and the Environmental Secondary Study with respect to the OPA between the Agency and Pinnacle International Development, Inc. for the development of the block bounded by Island Avenue and 14th, 15th and

J Streets. The Environmental Secondary Study found that the development which is the subject of the OPA is consistent with the Community Plan and Centre City Planned District Ordinance and, therefore, will not have any impacts not previously reviewed in the MEIR and SEIR. The OPA anticipated construction of the Patio as part of the overall development of the block. No further environmental review is required.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By Carol A. Leone
Carol A. Leone
Deputy Counsel

CAL:cfq
03/29/07
Or.Dept:CCDC
MMS#4576

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of APR 24 2007.

REDEVELOPMENT AGENCY

By Jeannette Santos
Jeannette Santos, Deputy Secretary

Approved: 4-27-07
(date)

JSL
JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on APR 24 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"/>

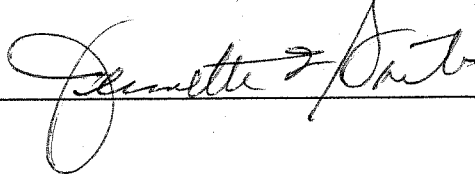
Date of final passage APR 27 2007

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-04134