

*May 1, 2007 RA mtg*  
(RA-2007-94)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04136

DATE OF FINAL PASSAGE MAY 23 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO FOR AN EXCLUSIVE NEGOTIATION AGREEMENT WITH RELATED/CITYLINK INVESTMENT FOR THE SEVENTH & MARKET SITE LOCATED WITHIN 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, as amended and supplemented from time to time, for the Centre City Redevelopment Project Area [Project Area]; and

WHEREAS, the Centre City Development Corporation [CCDC] is responsible for implementing redevelopment projects in the Project Area on behalf of the Agency; and

WHEREAS, in order to further the objectives of the Redevelopment Plan, the Agency proposes to enter into an Exclusive Negotiation Agreement [ENA] with Related/CityLink Investment [Developer]; and

WHEREAS, the Developer proposes to develop a mixed-use project on a 55,000 square foot site [Site] currently owned by the Agency, which is located on the east side of Seventh Avenue, south side of Market Street, west side of Eighth Avenue, and north side of Island Avenue; and

WHEREAS, the Site is comprised of Assessor Parcel Numbers [APNs] 535-112-01, -02, -03, -05, -06, -07, -08, -09, -10, and -11; and

WHEREAS, through the execution of the ENA, the Agency and Developer agree to negotiate in good faith pursuant to the terms of the ENA to prepare a Disposition and Development Agreement [DDA] to be entered into between Agency and Developer concerning the Developer's purchase and development of the Site; NOW, THEREFORE,

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

1. That the Executive Director, or designee, is authorized to enter into the ENA between the Agency and Related/CityLink Investment for the development of a mixed-use project, under the terms and conditions set forth in the ENA on file in the office of the secretary of the Agency as Document No. D-04136

2. That the City Auditor/Comptroller is hereby authorized:

- a. To set up fund # 99077 for the Seventh & Market Project;
- b. To establish the necessary departments, accounts and job orders; and
- c. To appropriate and to allot all monies available in each project fund up to the amount of revenues available in each project fund.

3. That the City Auditor/Comptroller is hereby authorized to carry forward any unexpected balance remaining in each budgetary account at the end of each fiscal year into the next fiscal year as a continuing appropriation, subject to amendment by the Agency.


4. That the President of CCDC, or designee, is hereby authorized to request the City

Auditor/Comptroller to make budgetary transfers between the line items and object accounts within each project fund.

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.

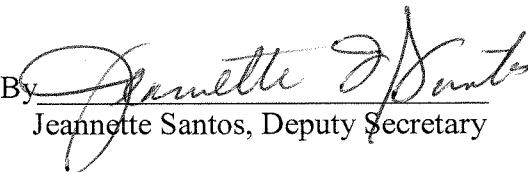
APPROVED: MICHAEL J. AGUIRRE, General Counsel

By   
Carol A. Leone  
Deputy Counsel

CAL:cfq  
04/13/07  
Or.Dept:CCDC  
RA-2007-94  
MMS#94

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of MAY 01 2007.

REDEVELOPMENT AGENCY

By   
Jeannette Santos, Deputy Secretary

Approved: 5.13.07  
(date)

  
\_\_\_\_\_  
JERRY SANDERS, Executive Director

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on MAY 01 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 MAY 23 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.

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