

KH#1 KH #1
Items 1 + 2 9/25/07

(RA-2008-22)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04201

DATE OF FINAL PASSAGE OCT 09 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING AN EXCLUSIVE NEGOTIATING AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND CITY HEIGHTS PASEO, LLC., FOR THE DEVELOPMENT OF A MIXED USE PROJECT LOCATED WITHIN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA; ACCEPTING A GOOD FAITH DEPOSIT FROM CITY HEIGHTS PASEO, LLC.; AMENDING THE FISCAL YEAR 2008-2009 REDEVELOPMENT AGENCY BUDGET; AND AUTHORIZING THE EXPENDITURE OF THE DEVELOPER DEPOSIT.

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 [Project]; and

WHEREAS, in order to further the objectives of the Redevelopment Plan, the Agency proposes to enter into an Exclusive Negotiating Agreement [ENA] with City Heights Paseo, LLC [Developer], for the development of Assessor Parcel Numbers 454-762-13, 454762-14, 454-762-15, and 454-762-16 within the City Heights Redevelopment Project Area [the Site]; and

WHEREAS, the Executive Director of the Agency, or designee, has recommended that the Agency approve an ENA to commence exclusive negotiations with the Developer regarding the Site; and

WHEREAS, the terms of the ENA require the Developer to submit a good faith deposit of not to exceed \$25,000 to pay for administrative expenses incurred by the Agency in the course of negotiating and preparing a Disposition and Development Agreement [DDA] for the development of the residential/retail mixed-use project in the Project area; 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 and empowered to execute, for and on behalf of the Agency, an ENA with City Heights Paseo, LLC. for the development of a residential/retail 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. 04201

2. That the Agency accepts the Developer's good faith deposit and that the Fiscal Year 2008-2009 Redevelopment Agency Budget is amended to increase the City Heights Redevelopment Project Fund by an amount not to exceed \$25,000.

3. That the expenditure of an amount not to exceed \$25,000 is authorized, solely and exclusively, for the purpose of providing the funds for administrative expenses related to the negotiating and preparing a Disposition and Development Agreement with City Heights Paseo, LLC.

BE IT FUTHER RESOLVED, that this activity is not a "project" and is therefore exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3). This determination is predicated on Section 15400 of the Guidelines, which provides direction to lead agencies on the appropriate timing for environmental review.

Construction activities related to the mixed-use development project will require further review under the provisions of CEQA.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By Carol A. Leone
Carol A. Leone
Deputy Counsel

CAL:cfq
08/08/07
Or.Dept:R.A.
RA-2008-22
MMS#4037

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of SEP 25 2007.

REDEVELOPMENT AGENCY

By Jeannette Santos
Jeannette Santos, Deputy Secretary

Approved: 10-9-07
(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 SEP 25 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 OCT 09 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 *Janette D. Santos*, Deputy

Office of the Redevelopment Agency, San Diego, California.

Resolution Number R- 04201