

REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04212

DATE OF FINAL PASSAGE NOV 08 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE OWNER PARTICIPATION AGREEMENT FOR THE BOULEVARD APARTMENTS PROJECT IN THE NORTH PARK REDEVELOPMENT PROJECT AREA AND MAKING CERTAIN FINDINGS ON THE ENVIRONMENTAL REVIEW COMPLETED FOR THE PROJECT.

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 North Park Redevelopment Project Area [Project Area]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Project Area, the Agency has negotiated and proposes to enter into an Owner Participation Agreement [Agreement] with S.V.D.P. Management, Inc. [Developer] pursuant to which the Agency will provide financial assistance to the Developer in the form of a residual receipts loan for the development of a low income residential project known as the Boulevard Apartments Project [Project]; and

WHEREAS, Developer has submitted to this Agency and to the Council of the City of San Diego copies of the proposed Agreement in a form desired by Developer; and

WHEREAS, the Agency has duly considered all of the terms and conditions in the proposed Agreement and determines the Project is in the best interests 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; and

WHEREAS, on the appeal of a Hearing Officer determination, the San Diego Planning Commission reviewed and considered the Boulevard Apartments Project No. 55461 [Project No. 55461] at a public hearing on March 15, 2007, and by Resolution No. R-4230 PC, certified the Environmental Impact Report [EIR], SCH No. 2005111021, adopted a Statement of Overriding Considerations, with the additional language: Housing is targeted for those at 40% AMI and lower, and approved a Mitigation, Monitoring and Reporting Program for this Project No. 55461, copies of which are on file in the Development Services Department of the City of San Diego; and

WHEREAS, in connection with the consideration of the Agreement for the Project, the Agency considered the issues discussed in the EIR, SCH No. 2005111021, and the public record.  
NOW, THEREFORE,

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

1. That the Agency has received and heard all oral and written objections to the proposed Owner Participation Agreement, and to other matters pertaining to the Agreement, and that all such oral and written objections are overruled.
2. That the Agency finds and determines that all consideration to be paid pursuant to the Agreement is in an amount necessary to effectuate the purposes of the Redevelopment Plan for the Project Area.
3. That the Owner Participation Agreement which establishes the terms and conditions for the development and implementation of the Project is hereby approved. The Executive Director of the Agency, or designee, is authorized, on behalf of the Agency, to execute the Owner Participation Agreement.


4. That a copy of the Owner Participation Agreement, when executed by the Agency, shall be placed on file in the office of the Secretary of the Agency as Document No. D- 04212.

5. 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 Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Agreement; and

BE IT FURTHER RESOLVED, that the Redevelopment Agency finds that the Agreement is a subsequent discretionary approval of the Project No. 55461 addressed in the EIR and not a separate project under the California Environmental Quality Act [CEQA] and CEQA Guidelines Sections 15060(c)(3) and 15378(c); and

BE IT FURTHER RESOLVED, that the Redevelopment Agency finds that this subsequent discretionary approval of the Agreement does not involve a change in circumstances, project changes, or new information of substantial importance which would warrant any additional environmental review.

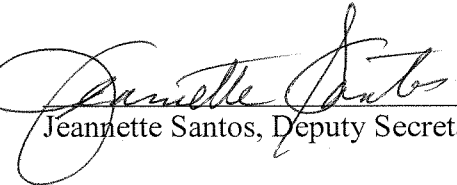
APPROVED: MICHAEL J. AGUIRRE, General Counsel

By   
Kendall D. Berkey  
Deputy General Counsel

KDB:nda  
10/12/07  
Or.Dept:Redev.Agency  
RA-2008-50  
MMS#5470  
Comp. R-2008-331  
RA-2008-48  
RA-2008-49

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of OCT 30 2007.

REDEVELOPMENT AGENCY

By:   
Jeannette Santos, Deputy Secretary

Approved: 11-8-07  
(date)

  
JERRY SANDERS, Executive Director

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

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

Passed by the Redevelopment Agency of The City of San Diego on NOV 08 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

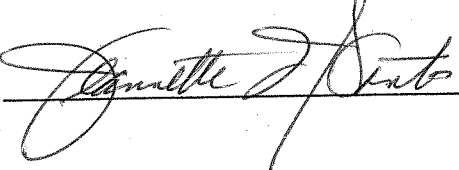
Date of final passage NOV 08 2007

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.

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