

REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04253

DATE OF FINAL PASSAGE APR 23 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING A SECOND IMPLEMENTATION AGREEMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT ENTERED INTO BY AND BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND CENTREPOINT LLC, FOR THE CENTREPOINT PROJECT LOCATED WITHIN THE CROSSROADS 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 Crossroads Redevelopment Project Area [Project Area]; and

WHEREAS, to further the objectives of the Redevelopment Plan for the Project Area, the Agency and CentrePoint LLC, a Delaware limited liability company [Developer], entered into a Disposition and Development Agreement [DDA] on or about April 11, 2006, a copy of the DDA is on file in the office of the secretary to the Agency as Document No. D-04014 / R-04014; and

WHEREAS, to encourage development of the Site and to maintain the effectiveness of the DDA, the Agency and Developer entered into a First Implementation Agreement to the DDA on or about July 11, 2007, a copy of the First Implementation Agreement is on file in the office of the secretary to the Agency as Document No. D-04154 / R-04154; and

WHEREAS, the DDA, as amended, governs the development of a pedestrian-oriented mixed use project [CentrePoint Project] that incorporates approximately 4,000 square feet of retail space and 312 for-sale residential dwelling units in the form of 97 townhouses, 204 residential flats (of which 47 units will be designated by Developer in perpetuity as affordable to families earning 100% of the Area Median Income), and 11 live/work units, and is located on approximately 8.93 acres at 6300 El Cajon Boulevard [Site] in the Eastern Planning Area of the Mid-City Communities Plan within the Project Area; and

WHEREAS, to date, Developer has assembled the Site and is engaging in demolition of the structures located thereon in furtherance of the DDA, as amended; and

WHEREAS, due to the changing market conditions and to maintain the effectiveness of the DDA, Developer requests the Agency to consider modifying the Schedule of Performance, attached to the DDA as Attachment No. 3 as amended by the First Implementation Agreement, by extending certain deadlines set forth therein for development of the CentrePoint Project; and

WHEREAS, in order to encourage development of the Site and to maintain the effectiveness of the DDA, the Agency and Developer desire to implement the DDA, through this Second Implementation Agreement, by extending certain deadlines set forth in the Schedule of Performance, attached to the DDA as Attachment No. 3 as amended by the First Implementation Agreement, and by making certain other revisions to the DDA and its Attachments that are due to recent statutory revisions to the California Community Redevelopment Law or that are in the best interests of the Parties; and

WHEREAS, the Crossroads Project Area Committee [Crossroads PAC] considered the proposed Second Implementation Agreement to the DDA at its meeting on February 28, 2008,

and recommends to the Agency the approval of the Second Implementation Agreement to the DDA; and

WHEREAS, the Agency has duly considered the recommendations of the Crossroads PAC and all terms and conditions of the proposed Second Implementation Agreement to the DDA and finds that the provisions contained therein are in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purpose 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 Agency approves the Second Implementation Agreement to the Disposition and Development Agreement [DDA], a copy of the Second Implementation Agreement to the DDA shall be placed on file in the office of the secretary of the Agency as Document No. D- 04253.

2. That the Executive Director of the Agency, or designee, is hereby authorized for and on behalf of the Agency, to execute the Second Implementation Agreement to the DDA and all other documents necessary and appropriate to carry out and implement the Second Implementation Agreement to the DDA and to administer the Agency's obligations, responsibilities, and duties to be performed thereunder.

3. That this activity and the Second Implementation Agreement of the existing DDA involve the CentrePoint Project which is subject to the previously approved Mitigated Negative Declaration, referenced by Project Number 74816. Therefore, this activity is not a separate project for purposes of review under the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3) and this activity does not involve a change in

circumstances, project changes, or new information of substantial importance which would warrant any additional environmental review pursuant to CEQA Guidelines Section 15162.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By Kendall D. Berkey  
Kendall D. Berkey  
Deputy General Counsel

KDB:nda  
04/02/08  
Or.Dept:Redev.Agency  
RA-2008-97  
MMS#4747

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of APR 15 2008.

REDEVELOPMENT AGENCY

By Jeannette Santos  
Jeannette Santos, Deputy Secretary

Approved: 4-23-08  
(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 APR 15 2008, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 23 2008

JERRY SANDERS

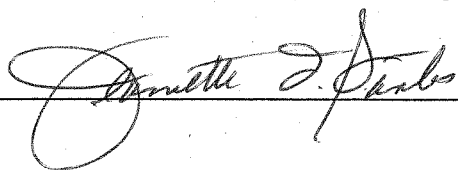
Executive Director of The City of San Diego, California.

AUTHENTICATED BY:

ELIZABETH S. MALAND

Secretary of The City of San Diego, California.

(Seal)

By , Deputy

Office of the Redevelopment Agency, San Diego, California.

Resolution Number

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