



REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04515

DATE OF FINAL PASSAGE JUN 02 2010

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO APPROVING THE THIRD  
AMENDMENT TO THE NTC PARK IMPROVEMENT  
AGREEMENT AND AUTHORIZING EXECUTION THEREOF.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] and  
McMillin-NTC, LLC [Master Developer], entered into a Disposition and Development  
Agreement [DDA] in June 2000 for the purposes of effectuating the Redevelopment Plan for the  
Naval Training Center Redevelopment Project, adopted by the City Council in May 1997, and  
the Naval Training Center Reuse Plan, adopted by the City Council in October 1998; and

WHEREAS, the Agency, Master Developer and the City of San Diego [City] have  
entered into that certain NTC Park Improvement Agreement, on file in the office of the Secretary  
to the Agency as Document No. D-03175C, dated June 26, 2000, whereby Master Developer  
agreed to complete Park Improvements as set forth in section 8.2 of the DDA; and

WHEREAS, the Agency, Master Developer and the City have entered into the First  
Amendment to the NTC Park Improvement Agreement pursuant to Resolution No. R-03917  
approved by the Agency on May 24, 2005, and on file in the office of the Secretary to the  
Agency as Document No. D-03917, dated June 16, 2005, whereby the construction schedule was  
revised; and

WHEREAS, the Agency, Master Developer and the City have entered into the Second  
Amendment to the NTC Park Improvement Agreement pursuant to Resolution No. R-02470  
approved by the Agency on May 13, 2008, and on file in the office of the Secretary to the

Agency as Document No. D-04270, dated June 16, 2008, whereby certain costs, construction responsibilities, and financial commitments were clarified and allocated; and

WHEREAS, the NTC Park General Development Plan allows for a future aquatic center to be built by the City, and

WHEREAS, pursuant to the Second Amendment to the NTC Park Improvement Agreement and pursuant to Resolution No. R-04301 approved by the Agency on July 8, 2008, an amount of \$466,726 has been allocated by the Redevelopment Agency to Fund No. 10294 (CIP No. 29-976.0) for an aquatic center conceptual design [Conceptual Design Funds]; and

WHEREAS, pursuant to the Second Amendment to the NTC Park Improvement Agreement, the release of Conceptual Design Funds by the Redevelopment Agency to the City for an aquatic center conceptual design was contingent upon the City identifying and allocating sufficient funding for construction of the aquatic center; and

WHEREAS, the City cannot properly estimate, identify or allocate the funds that it will need for construction of an aquatic center, or the costs of operating and maintaining such aquatic center, without an aquatic center conceptual design; and

WHEREAS, the Agency proposes authorization of a Third Amendment to the NTC Park Improvement Agreement which will allow the Redevelopment Agency to release the Conceptual Design Funds to the City without the City having identified and allocated funding for construction of the aquatic center.

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

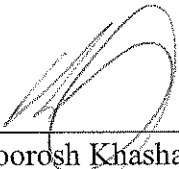
1. That the Agency hereby approves the Third Amendment to the NTC Park Improvement Agreement.

2. That the Executive Director, or designee, is hereby authorized to execute on behalf of the Agency, the Third Amendment to the NTC Park Improvement Agreement, a copy of which shall be placed on file in the office of the secretary of the Agency as Document No. D- 04515.

3. That the Agency Executive Director or designee is authorized, on behalf of the Agency to execute all documents necessary and appropriate to carry out and implement this Resolution and to administer the Agency's obligations, responsibilities and duties to be performed hereunder.

APPROVED: Jan I. Goldsmith, General Counsel

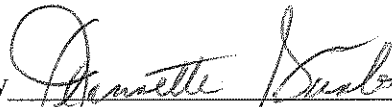
By

  
\_\_\_\_\_  
Koorosh Khashayar  
Deputy General Counsel

05/06/10  
Or.Dept:Redev.Agency  
RA-2010-66  
MMS#11970

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of MAY 25 2010.

REDEVELOPMENT AGENCY

By   
Jeannette Santos, Deputy Secretary

Approved: 6.2.10  
(date)

  
JERRY SANDERS, Executive Director

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

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

Passed by the Redevelopment Agency of The City of San Diego on MAY 25 2010, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<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"/>
Carl DeMaio	<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"/>
Marti Emerald	<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"/>

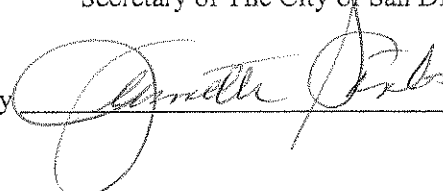
Date of final passage JUN 02 2010

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- 04515