



REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04563

DATE OF FINAL PASSAGE SEP 14 2010

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO APPROVING THIRD  
REHABILITATION GRANT AGREEMENT BETWEEN THE  
REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO  
AND NTC FOUNDATION.

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 Naval Training Center (NTC) Redevelopment Project Area (Project Area); and

WHEREAS, the NTC Foundation (Foundation), an independent 501(c)(3) nonprofit corporation established pursuant to the Naval Training Center Disposition and Development Agreement (DDA) approved in June 2000 between the Agency and McMillin-NTC, LLC, is responsible for the rehabilitation and management of the buildings in the area of the Historic Core designated for the Civic, Arts and Cultural Center (CACC); and

WHEREAS, in January 2004, the Agency entered into the Rehabilitation Grant Agreement (Grant Agreement) with the Foundation which provided the Foundation with a grant of \$5.85 million in loan proceeds from the United State Department of Housing and Urban Development Section 108 Loan Guarantee Program for the rehabilitation of buildings that comprised Phase 1 of the Foundation's development plan; and

WHEREAS, in December 2007, the Agency entered into the Second Rehabilitation Grant Agreement with the Foundation which provided the Foundation with a grant of \$6.0 million in

loan proceeds for the rehabilitation of buildings that comprised Phase 2 of the Foundation's development plan; and

WHEREAS, the Second Rehabilitation Grant Agreement included a provision that, upon the request of the Foundation, the Agency's Executive Director would make a recommendation to the Agency's governing body for approval of additional funding assistance not to exceed \$6.0 million for costs relating to the rehabilitation of additional buildings in the CACC; and

WHEREAS, in April 2008, the Agency amended the Second Rehabilitation Grant Agreement with the Foundation which revised the terms regarding the use of funds for Phase 2 of the Foundation's development plan; and

WHEREAS, the Foundation has fulfilled all the obligations of the previous Grant Agreements; and

WHEREAS, the Foundation has submitted to the Agency copies of the proposed Third Rehabilitation Grant Agreement in a form desired by the Foundation; and

WHEREAS, the Agency has duly considered all of the terms and conditions of the proposed Third Rehabilitation Grant Agreement and believes that the conditions contained in the proposed Third Rehabilitation Grant Agreement are 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; NOW, THEREFORE,

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

1. That it approves all of the terms and conditions in the proposed Third Rehabilitation Grant Agreement.
2. That it authorizes the Executive Director of the Agency, or designee, to execute the Third Rehabilitation Grant Agreement with the NTC Foundation for and on behalf of the


Agency. A copy of the Third Rehabilitation Grant Agreement is on file in the office of the secretary of the Agency as Document No. D- 04563.

3. That it authorizes the City Chief Financial Officer, or designee, to appropriate and expend an amount not to exceed \$4.0 million from the NTC Redevelopment Tax Allocation Bonds Series 2010 A Tax Exempt proceeds Fund No. 400697- NTC-TAC 2010A (TE) Proceeds, contingent on a Comptroller's Certificate to do so, to grant to the NTC Foundation for the rehabilitation of a portion of the Foundation's Phase 2 development costs.

4. That it authorizes the City Chief Financial Officer, or designee, to appropriate and expend an Additional Agency Grant, as defined in the Third Rehabilitation Grant Agreement, if NTC Redevelopment Project Tax Increment Funds are paid to the Agency from the County of San Diego as a result of property taxes generated within the Civic, Arts and Cultural Center and paid by the Foundation or its subsidiaries, contingent on a Comptroller's Certificate to do so.

5. That 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 Third Rehabilitation Grant Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Third Rehabilitation Grant Agreement.

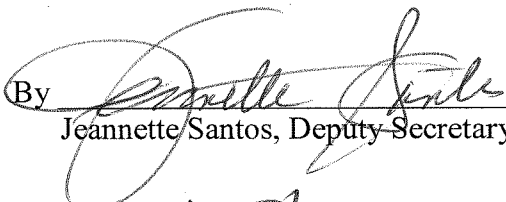
APPROVED: JAN I. GOLDSMITH, General Counsel

By   
Elisa A. Cusato  
Deputy General Counsel

EAC:nja  
August 24, 2010  
August 27, 2010 Cor.Copy  
Or.Dept:Redev.Agency  
RA-2011-20  
PL#2010-00836

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of SEP 07 2010.

REDEVELOPMENT AGENCY

By   
Jeannette Santos, Deputy Secretary

Approved: 9-14-10  
(date)

  
JERRY SANDERS, Executive Director

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

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

Passed by the Redevelopment Agency of The City of San Diego on SEP 07 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 14 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

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