

(RA-93-58)  
REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NO. 2169  
ADOPTED ON NOVEMBER 23, 1992

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE AMENDED AND RESTATED OWNER PARTICIPATION AGREEMENT BETWEEN REDEVELOPMENT AGENCY AND CATELLUS DEVELOPMENT CORPORATION, AND RECOMMENDING THAT THE COUNCIL OF THE CITY OF SAN DIEGO APPROVE THE AMENDED AND RESTATED OWNER PARTICIPATION AGREEMENT AS AN AMENDMENT TO THE LOCAL COASTAL PROGRAM.

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project (the "Project"); and

WHEREAS, the Agency and Catellus Development Corporation ("Catellus") have heretofore entered into that certain Owner Participation Agreement dated June 7, 1983, as amended by the First Implementation Agreement dated as of December 19, 1985, the Second Implementation Agreement dated as of April 9, 1987, and the Third Implementation Agreement dated November 1, 1991, for the development of certain property located in the Columbia Sub Area of the Centre City Redevelopment Project as described in the Owner Participation Agreement (the "Site"); and

WHEREAS, pursuant to the original Owner Participation Agreement, as heretofore amended, Catellus (or its predecessor in interest) has rehabilitated the exterior and interior of the Santa Fe Depot; cleaned up Parcel 1 by relocating a United States Navy rail spur line, removing certain railroad tracks, removing certain structures and facilities connected with maintenance and servicing of Amtrak Passenger trains, and demolishing and removing certain structures (including billboards) from Parcel 1; installed a landscaped parking lot within Parcel 1; granted to the Metropolitan Transit Development Board a right-of-way for its

trolley tracks through Parcel 1 from Broadway to Ash Street; acquired from the County of San Diego and added to the Site the Ash/Pacific Parcel; and established a local office in San Diego to manage development of the Site; and

WHEREAS, in order to carry out and implement the Redevelopment Plan the Agency proposes to enter into an Amended and Restated Owner Participation Agreement between the Agency and Catellus, amending the above-referenced Owner Participation Agreement with respect to the development of the Site; and

WHEREAS, Catellus has submitted to the Agency and the Council of The City of San Diego ("Council") copies of said proposed Amended and Restated Owner Participation Agreement in a form desired by Catellus; and

WHEREAS, the Centre City Development Corporation, Inc., has reviewed and discussed the proposed Amended and Restated Owner Participation Agreement and has recommended that the Agency enter into the Amended and Restated Owner Participation Agreement, and that the Council approve the proposed Amended and Restated Owner Participation Agreement as an amendment to the City's Local Coastal Program; and

WHEREAS, the Agency has provided notice of this public meeting to consider the Amended and Restated Owner Participation Agreement and has made copies of the proposed Amended and Restated Owner Participation Agreement and other reports and documents available for public inspection and comment; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Amended and Restated Owner Participation Agreement and believes that the development of the Site pursuant to the proposed Amended and Restated Owner Participation Agreement 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; NOW, THEREFORE,

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

1. That the Agency recognizes that it has received and heard all oral and written objections to the proposed Amended and Restated Owner Participation Agreement, to the proposed development of the Site pursuant to the proposed Amended and Restated Owner Participation Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

2. That the Amended and Restated Owner Participation Agreement which establishes the terms and conditions for the development of the Site is hereby approved.

3. The Executive Director of the Agency, or his designee, is hereby authorized to execute the Amended and Restated Owner Participation Agreement, on behalf of the Agency. A copy of the Amended and Restated Owner Participation Agreement, when executed by the Agency,

shall be placed on file in the office of the Secretary to the Agency as Document No. 1982.

4. That the Agency hereby recommends that the Council approve the Amended and Restated Owner Participation Agreement as an amendment to the City's Local Coastal Program.

5. That the Executive Director of the Agency, or his designee, is hereby authorized, on behalf of the Agency, to sign all documents necessary and appropriate to carry out and implement the Amended and Restated Owner Participation Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Amended and Restated Owner Participation Agreement.

APPROVED: JOHN W. WITT, General Counsel

By

Allisyn L. Thomas

Deputy Counsel

ALT:lc

11/10/92

Or.Dept:CCDC

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