

CITY COUNCIL OF THE CITY OF SAN DIEGO

RESOLUTION NO. RR-250340

(R.80-583)

OCT 2 1979

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT WITH RESPECT TO THE LEASE OF CERTAIN PUBLIC PARKING FACILITIES IN THE HORTON PLAZA REDEVELOPMENT PROJECT

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 Horton Plaza Redevelopment Project; and

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency has entered into that certain First Amended Disposition and Development Agreement (the "Agreement") dated August 6, 1979 with Ernest W. Hahn, Inc. (the "Developer") for the development of a major regional shopping center; and

WHEREAS, pursuant to the Agreement the Agency is acquiring certain real properties comprising Parcels B and C as described in the Agreement (the "Site" as referred to in the Lease Agreement), is constructing parking facilities and related public improvements thereon (the "Facility" as referred to in the Lease Agreement), and is leasing the Site and the Facility (the "Leased Premises" as referred to in the Lease Agreement") to the City of San Diego (the "City") pursuant to that certain Lease Agreement entered into between the City and the Agency, a copy of which Lease Agreement is on file in the office of the City Clerk as Document No. RR-250339; and

WHEREAS, the Agency, pursuant to the Lease Agreement, proposes to issue revenue bonds for the purpose of acquiring the Site and constructing the Facility; and such bonds shall be payable from the annual rental payments from the City to the Agency; and

WHEREAS, the Agency desires to reimburse the City for all or part of the City's annual rental payments made to the Agency to lease the Leased Premises, in accordance with the terms and conditions contained in that form of Reimbursement Agreement on file in the office of the City Clerk as Document No. RR-250340; and

WHEREAS, the Agency and the City Council of the City of San Diego each have determined by resolution pursuant to Section 33445 of the Health and Safety Code of the State of California that the Leased Premises are of benefit to the Horton Plaza Redevelopment Project area and the immediate neighborhood in which the Project is located, and that no other reasonable means of financing the Leased Premises is available to the community, and the City Council has by resolution consented that the Agency may pay all or part of the value of the land for and the cost of the installation and construction of the Leased Premises, including reimbursement by the Agency to the City for all or part of the rental amounts paid by the City to the Agency in accordance with the Lease Agreement.

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

1. The City Council hereby approves the Reimbursement Agreement, and the terms and conditions thereof, as contained in said Document No. **R-250340** and hereby authorizes the City Manager of the City of San Diego to execute the Reimbursement Agreement on behalf of the City.

2. The City Manager (or his designee), is hereby authorized, on behalf of the City, to sign all documents necessary and appropriate to carry out and implement the Reimbursement Agreement and to administer the City's obligations, responsibilities and duties to be performed under the Reimbursement Agreement.

APPROVED: JOHN W. WITT, City Attorney

By 
H. Valdernaug, Deputy

R-250340

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AUG 29 1979

Passed and adopted by the Council of The City of San Diego on **OCT 2 1979**,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-250340** Adopted **OCT 2 1979**