

CITY COUNCIL OF THE CITY OF SAN DIEGO

RESOLUTION NO. R-251180

(R80-1423)

FEB 19 1980

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SALE OF CERTAIN PROPERTY IN THE COLUMBIA REDEVELOPMENT PROJECT AREA TO PACIFIC CENTRE ASSOCIATES; APPROVING THE FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE AGENCY AND PACIFIC CENTRE ASSOCIATES; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SUCH SALE

WHEREAS, the Redevelopment Agency of the City of San Diego (the "Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plans for the Columbia and Horton Plaza Redevelopment Projects; and

WHEREAS, the Agency has heretofore entered into that certain Disposition and Development Agreement (the "Agreement") dated October 16, 1979 with Pacific Centre Associates (the "Developer"), a partnership consisting of Koll Pacific Centre Associates, Ltd. and Interreal Company, for the sale of certain real property (the "Site") in the Horton Plaza Redevelopment Project for the development and construction of an office building and related facilities; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Columbia Redevelopment Project, the Agency staff and consultants have negotiated with representatives of the Developer for a proposed First Amendment to the Agreement, providing for the sale of certain real property (the "Parking Site") in the Columbia Redevelopment Project for the development and construction of a parking structure (including street front commercial shops therein) to serve such office building and related facilities and providing for certain other changes in the Agreement; and

WHEREAS, the Developer has executed and submitted to the Agency and this City Council of the City of San Diego (the "City Council") the proposed First Amendment to the Agreement in a form desired by the Developer; and

WHEREAS, the Centre City Development Corporation, Inc. has reviewed and discussed said proposed First Amendment to the Agreement and has recommended that the City Council approve and the Agency approve and enter into the First Amendment to the Agreement; and

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety Code, Section 33000 et seq.) the Agency and this City Council held a joint public hearing on the proposed sale of such real property comprising the Parking Site and on the First Amendment to the Agreement; having duly published notice of such public hearing and made copies of the proposed First Amendment to the Agreement and other reports and documents (including the summary provided for in Section 33433) available for public inspection and comment; and

WHEREAS, the Agency, after such public hearing, and subject to City Council approval, approved the sale of the real property comprising the Parking Site and the First Amendment to the Agreement; and

WHEREAS, the Agency has approved and adopted a Relocation Plan Pertaining to the First Amendment to the Agreement (a copy of which Relocation Plan is on file in the office of the Secretary of the Agency as Document No. 619) pertaining to the relocation of occupants to be displaced as a result of the implementation of development activities proposed in the First Amendment to the Agreement; and

WHEREAS, the City Council has duly considered all terms and conditions of the proposed sale of real property comprising the Parking Site and the First Amendment to the Agreement, and believes that the redevelopment of the real property pursuant to the Agreement and the First Amendment to the 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 City Council of the City of San Diego as follows:

1. The City Council recognizes that it has received and heard all oral and written objections to the proposed First Amendment to the Agreement, to the proposed sale of the real property pursuant to the proposed First Amendment to the Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

2. The City Council hereby finds and determines that the consideration to be paid by the Developer for the purchase of the real property comprising the Parking Site is not less than fair market value in accordance with the covenants and conditions governing such purchase as set forth in the Agreement and the proposed First Amendment to the Agreement. The City Council hereby further finds and determines that the consideration to be paid by the Developer for the purchase of the real property comprising the Site and the Parking Site is not less than fair market value in accordance with the covenants and conditions

governing such purchase as set forth in the Agreement and the proposed First Amendment to the Agreement. The City Council hereby further finds and determines that all consideration to be paid under the Agreement and the proposed First Amendment to the Agreement is in amounts necessary to effectuate the purposes of the Redevelopment Plans for the Columbia and Horton Plaza Redevelopment Projects.

3. The sale of the real property comprising the Parking Site, and the proposed First Amendment to the Agreement, are hereby approved.

4. The City Council hereby authorizes the City Clerk to deliver a copy of this Resolution to the Executive Director and members of the Agency. A copy of the First Amendment to the Agreement when executed by the Agency shall be placed on file in the office of the City Clerk as Document No. 251180

APPROVED: JOHN W. WITT, City Attorney

By: 

H. Valderhaug, Deputy

Passed and adopted by the Council of The City of San Diego on FEB 19 1980,
 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"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Mike Gotch	<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.

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

(Seal)

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-251180 Adopted FEB 19 1980