

R-22-437

CITY COUNCIL OF THE CITY OF SAN DIEGO

RESOLUTION NO. R-255272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO RESCINDING AND TERMINATING A CERTAIN REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO PERTAINING TO PROPOSED PUBLIC PARKING FACILITIES WITHIN THE HORTON PLAZA REDEVELOPMENT PROJECT AREA

OCT 27 1981

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 heretofore entered into that certain First Amended Disposition and Development Agreement (the "Agreement") with Ernest W. Hahn, Inc. (the "Developer") for the sale, lease and sublease of real properties in the Redevelopment Project for the development and construction of a major regional shopping center; and

WHEREAS, in order to carry out and implement the Agreement the City Council of the City of San Diego (the "City"), by Ordinance No. 0-15032, approved and authorized the execution of a certain "Lease Agreement" with the Agency, a copy of which Lease Agreement is on file in the office of the City Clerk as Document No. 00-15032 providing for the construction by the Agency and lease to the City of certain public parking facilities within the Horton Plaza Redevelopment Project area; and

WHEREAS, the City Council by Resolution No. 250340, approved and authorized the execution of a certain "Reimbursement Agreement" with the Agency, a copy of which Reimbursement Agreement is on file in the office of the City Clerk as Document No. RR-250340, providing for the reimbursement by the Agency to the City for all or part of the City's annual rental payments made to the Agency under the Lease Agreement; and

WHEREAS, the Agency and City have approved that certain Second Amended Disposition and Development Agreement with the Developer pursuant to which the Developer, rather than the Agency and City, will plan, finance, construct and operate the parking facilities in connection with the major regional shopping center; and

WHEREAS, the Agency and City desire to rescind and terminate the Reimbursement Agreement as it is no longer necessary to effectuate the Redevelopment Plan or the Agreement.

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

1. The Reimbursement Agreement, Document No. RR-250340, is hereby rescinded and terminated. The Agency and City shall have no further rights, obligations or liabilities to each other under the Reimbursement Agreement.

2. The effective date of this Resolution shall be the effective date of Ordinance No. 0-15619 of this City Council, rescinding and terminating the Lease Agreement between the City and the Agency, provided that the Agency shall first have approved the rescission and termination of the Lease Agreement and the Reimbursement Agreement.

APPROVED: JOHN W. WITT, City Attorney

By: Janis Sammartino Gardner  
Janis Sammartino Gardner, Deputy

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Passed and adopted by the Council of The City of San Diego on  
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"/>
Susan Golding	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 June A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-255272 Adopted OCT 27 1981