

CITY COUNCIL OF THE CITY OF SAN DIEGO

RESOLUTION NO. R-260762

MAY 22 1984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT A THEATER FACILITY AND IMPROVEMENTS IN THE HORTON PLAZA REDEVELOPMENT PROJECT AREA IS OF BENEFIT TO THE HORTON PLAZA REDEVELOPMENT PROJECT AREA AND ITS IMMEDIATE NEIGHBORHOOD; DETERMINING THAT NO OTHER REASONABLE MEANS OF FINANCING SUCH THEATER FACILITY AND IMPROVEMENTS ARE AVAILABLE TO THE COMMUNITY; AND CONSENTING THAT THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO MAY PAY PART OF THE COST FOR SUCH THEATER FACILITY AND IMPROVEMENTS

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

WHEREAS, such redevelopment activities include the assembly and disposition of certain property in the Project area to Horton Plaza Associates, a California limited partnership (the "Developer"), pursuant to that certain Second Amended Disposition and Development Agreement dated November 2, 1981, as amended (the "Agreement"), for the development of a major regional retail and mixed use center; and

WHEREAS, in assembling the land for such development the Agency acquired and cleared a building containing a legitimate theater use; and

WHEREAS, the Agreement requires the Developer to provide at nominal cost a building shell within the development to be leased to the Agency for the installation and construction therein of a replacement theater facility and improvements deemed appropriate and necessary in the interest of the general welfare; and

WHEREAS, such theater facility and improvements will be publicly owned and will include the construction within the shell of all improvements necessary or appropriate to comprise a legitimate theater facility and the installation of theatrical equipment, all in accordance with plans and specifications approved by the Agency; and

WHEREAS, the City of San Diego desires to advance funds to the Agency to construct and install certain of the theater facilities and improvements, which the Agency will repay from tax increment funds generated by the Horton Plaza Redevelopment Project, in accordance with the terms and conditions governing such advances approved by the City Council and Agency; and

WHEREAS, the Agency desires to otherwise incur indebtedness to construct and install certain of the theater facilities and improvements and to pay such indebtedness with tax increment funds and/or other funds lawfully available to the Agency for such purposes; and

WHEREAS, the City Council has held a public hearing on the proposed payment by the Agency for part of the value of the land for and the cost of the installation and construction of the theater facility and improvements, and on the proposed expenditure of tax increment funds therefor, having duly published notice of such public hearing and made available for public inspection a summary containing the information set forth in Section 33679 of the California Community Redevelopment Law; and

WHEREAS, the members of the City Council have reviewed and considered the facts and information contained in said summary report and the other information, documentary and oral, presented at said public hearing.

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 payment by the Agency of all or part of the value of the land for and the cost of installation and construction of the theater facility and improvements, including the commitment and payment of tax increment funds therefor, 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, based upon the facts set forth in Section III. of the summary, the theater facility and improvements are primarily of benefit to the Horton Plaza Redevelopment Project area, and are also of benefit to the immediate neighborhood in which the Project is located.

3. The City Council hereby further finds and determines that, based upon the facts set forth in Section IV. of the summary, no other reasonable means of financing the theater facility and improvements are available to the community.

4. The City Council hereby consents 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 theater facility and improvements, including the commitment and payment of tax increment funds therefor.

APPROVED: JOHN W. WITT, City Attorney

By: 
Janis Sammartino Gardner, Deputy

160/35-11

5/8/84

613

R-84-1949

R-260762

MAY 22 1984

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

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

(Seal)

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-260762* Adopted *MAY 22 1984*

RECEIVED
CITY CLERK'S OFFICE
1984 MAY -9 PM 2:36
SAN DIEGO, CALIF.

RECEIVED

MAY 8 1984

01451

MAY 8 1984