

RESOLUTION NUMBER 293149

ADOPTED ON MAY 16 2000

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SALE OF CERTAIN PROPERTY IN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA FOR THE DEVELOPMENT OF THE REGIONAL TRANSPORTATION CENTER; APPROVING THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH RTC-1, A LIMITED LIABILITY COMPANY, PERTAINING THERETO; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SALE OF PROPERTY.

WHEREAS, the Redevelopment Agency of The City of San Diego [Council] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the City Heights Redevelopment Project [Project]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency proposes to sell certain property in the Project area for the development of the Regional Transportation Center, an alternative fuels vehicle center [Development], pursuant to the terms and provisions of a certain Disposition and Development Agreement [Agreement] with RTC-1, a Limited Liability Company [Developer], which Agreement contains a description of said property and provides for the construction Development thereon; and

WHEREAS, the Developer has submitted to the Agency and the Council of The City of San Diego copies of the proposed Agreement in a form desired by the Developer; and

WHEREAS, pursuant to the California Community Redevelopment Law [California Health and Safety Code section 33000 et seq.] the Agency and this Council held a joint public hearing on the proposed sale of real property pursuant to the Agreement; having duly published

notice of such public hearing and made copies of the proposed Agreement and other reports and documents available for public inspection and comment; and

WHEREAS, the Council has duly considered all terms and conditions of the proposed sale of real property and believes that the development of the real property pursuant to the proposed 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 Council of The City of San Diego, as follows:

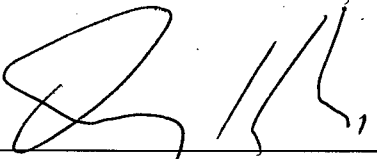
1. That the Council recognizes that it has received and heard all oral and written objections to the proposed Agreement, to the proposed sale of the real property pursuant to the proposed Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are overruled.
2. That the Council finds and determines that the consideration to be paid to the Agency for the sale of the real property as described in the Agreement is not less than fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale.
3. That the Council finds and determines that the sale of the real property will assist in the elimination of blight within the Project area, and is consistent with the Implementation Plan for the Project area adopted pursuant to Section 33490 of the California Community Redevelopment Law.
4. That the sale of the real property, and the Agreement which establishes the terms and conditions for the acquisition and development of the real property, are approved. A copy of

the Agreement, when executed by the Agency, shall be placed on file in the office of the City Clerk as Document No. RR- **293149**.

5. That the Council authorizes the transfer to the Agency as contributions for the Development: \$1,475,000 in EDI Grant funds and \$2,045,000 in HUD Section 108 Loan funds.

6. That the Council authorizes the City Clerk to deliver a copy of this Resolution to the Executive Director and members of the Agency.

APPROVED: CASEY GWINN, City Attorney

By   
\_\_\_\_\_  
Douglas K. Humphreys  
Deputy City Attorney

DKH:lc  
05/04/00  
Or. Dept: Redev.  
Aud. Cert: 2001103  
R-2000-1304  
Form=r&t.frm

**The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2001103  
ORIGINATING DEPT. NO.: 042

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount 3,975,000.00 Fund 18517/18553

Purpose To authorize the transfer of funds to the Redevelopment Agency as a contribution (\$1,475,000 EDI Grant and \$2,045,000 in HUD Sec 108 Loan) for the City Heights RTC 1.  
To authorize the City Manager to apply, accept and expend a HUD SEC 108 Loan, \$455,000, and to amend the DDA and City and Agency budgets to reflect the loan if approved.

Date 05/03/00 By: Esther Musan

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	18517	18517		9544					\$2,500,000.00
02	0	18553	18553		9544					1,475,000.00
TOTAL AMOUNT										\$3,975,000.00

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ \_\_\_\_\_

Vendor \_\_\_\_\_

Purpose \_\_\_\_\_

Date \_\_\_\_\_ By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

*R* - 293149

MAY 16 2000

AC 2001103