

RESOLUTION NUMBER R- 293411

ADOPTED ON JUN 26 2000

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE COUNCIL HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN THE MASTER ENVIRONMENTAL IMPACT REPORT FOR THE NAVAL TRAINING CENTER REDEVELOPMENT PROJECT, AND THE SECONDARY STUDY WITH RESPECT TO THE PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND McMILLIN-NTC, LLC, AND RELATED AGREEMENTS, AND MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING ENVIRONMENTAL IMPACTS OF THE DEVELOPMENT PURSUANT THERETO.

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 Naval Training Center Redevelopment Project (the "Project"); and

WHEREAS, the Agency has previously prepared, and the Agency (Resolution No. R-03106) and the City Council (Resolution No. R-292724) have certified the Final Master Environmental Impact Report for the Naval Training Center Redevelopment Project (referred to herein as the "MEIR"); and

WHEREAS, the Agency proposes to approve and enter into a Disposition and Development Agreement (together with all of its exhibits, sometimes referred to as the "DDA") with McMillin-NTC, LLC (the "Master Developer") for the sale and/or lease of certain property in the Project area for a mixed use project consisting of the construction and installation of public infrastructure improvements, the rehabilitation and reuse of existing buildings and construction of

new buildings and improvements, as well as the development of a public waterfront park and recreation area on property owned by The City of San Diego, which will include residential, commercial, entertainment, office, hotel and educational uses, a golf course, and a Historic Core consisting of a Civic, Arts and Cultural Center and a mixed-use area, as described in the DDA and the exhibits thereto (the "Development"); and

WHEREAS, in connection with the DDA, the Agency and City Council propose to approve and enter into a number of related agreements, each substantially in the respective form attached to the DDA (collectively referred to as the "Related Agreements"), including the following: a Cooperation Agreement between the Agency and The City of San Diego; an NTC Park Improvement Agreement among the Agency, The City of San Diego, and the Master Developer; one or more interim leases to be entered into by and between the City and an affiliate of Master Developer; and a Participation Agreement to be entered into by and between the Agency and the Master Developer; and

WHEREAS, the sale and/or lease of the property and the construction of the Development pursuant to the provisions of the proposed DDA and the Related Agreements is a redevelopment implementation activity whose environmental impacts are assessed in the MEIR; and

WHEREAS, Ogden Environmental and Energy Services Co., Inc., acting on behalf of the Agency, has prepared a Secondary Study in accordance with and pursuant to the California Environmental Quality Act of 1970 (CEQA) and State and local regulations and guidelines adopted pursuant thereto, and such Secondary Study assesses the environmental impacts of the sale and/or lease and development of the real property pursuant to the Disposition and Development Agreement; and

WHEREAS, the City Council has considered the environmental effects of the proposed development as shown in the MEIR and the Secondary Study; NOW, THEREFORE,

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

1. The City Council certifies that the Secondary Study of environmental impacts with respect to the proposed sale and/or lease and development of the real property pursuant to the Disposition and Development Agreement and Related Agreements has been prepared and completed in compliance with the California Environmental Quality Act of 1970 and State and local regulations and guidelines adopted pursuant thereto.

2. The City Council further certifies that the information contained in the Secondary Study, and the MEIR has been reviewed and considered by the City Council members.

3. The City Council finds and determines that:

a. No substantial changes are proposed in the Naval Training Center Redevelopment Project, or with respect to the circumstances under which the Project is to be undertaken, as a result of the sale and/or lease and development of the real property pursuant to the Disposition and Development Agreement and Related Agreements, which will require important revisions in the MEIR for the Project, due to the involvement of new significant environmental impacts not covered in the MEIR; and

b. No new information of substantial importance to the Project has become available which was not known or could not have been known at the time the MEIR for the Project was certified as complete, and which shows that the Project will have any significant effects not discussed previously in the MEIR, or that any significant effects previously examined will be substantially more severe than shown in the MEIR, or that any mitigation measures or alternatives previously found not to be feasible or not

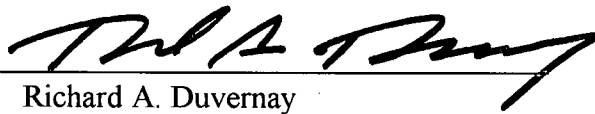
previously considered would substantially reduce or lessen any significant effects of the Project on the environment; and

c. No negative declaration, or subsequent environmental impact report, or supplement or addendum to the MEIR is necessary or required; and

d. The sale and/or lease and development of the real property pursuant to the Disposition and Development Agreement and Related Agreements will have no significant effect on the environment, except as identified and considered in the MEIR for the Project.

APPROVED: CASEY GWINN, City Attorney

By



Richard A. Duvernay
Deputy City Attorney

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Or.Dept:Plann.&Dev.Rvw.

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