

RESOLUTION NUMBER R- 296741

ADOPTED ON JUN 25 2002

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO THE COOPERATION AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.

WHEREAS, the Redevelopment Agency [Agency] and McMillin-NTC, LLC [Master Developer], entered into a Disposition and Development Agreement [DDA] in June 2000 for the purposes of effectuating the Redevelopment Plan for the Naval Training Center Redevelopment Project, adopted by the City Council in May 1997, and the Naval Training Center Reuse Plan, adopted by the City Council in October 1998; and

WHEREAS, the Agency and the City of San Diego [City] have entered into the Cooperation Agreement (Naval Training Center Redevelopment Project) [Cooperation Agreement], on file in the offices of the Redevelopment Agency as Document Number D-03175b, relating to the implementation of the NTC Redevelopment Plan, the DDA, and the Reuse Plan; and

WHEREAS, section 5.5 of the Cooperation Agreement says that the Cooperation Agreement may be amended any number of times upon the mutual approval of the Agency and the City; and

WHEREAS, pursuant to the Cooperation Agreement, the City and the Agency agreed to consider in good faith implementing such public financing mechanisms as may be appropriate to carry out the method of financing described in the DDA; and

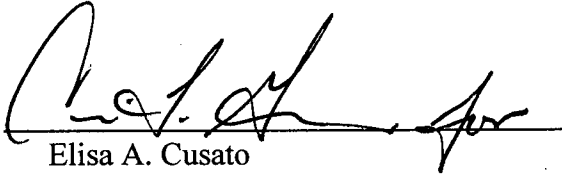
WHEREAS, the City is currently considering the formation of a Community Facilities District in the NTC Redevelopment Project Area, pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311, *et seq.*); and

WHEREAS, the Agency desires to facilitate the formation of the District and the issuance of bonds, which will finance the acquisition of infrastructure improvements within and/or benefit to the NTC Redevelopment Project Area and which will be secured by the lien of the special tax on the fee title of certain Sale Parcels in the Site, and on the leasehold interest relating to certain Lease Parcels in the Site; NOW THEREFORE

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

1. That the Council approves the First Amendment to the Cooperation Agreement.
2. That the City Manager, or designee, is authorized to execute, for and on behalf of the City, the First Amendment to the Cooperation between the Agency and the City, which is on file in the office of the secretary to the Agency as Document No. D- 03490.

APPROVED: CASEY GWINN, City Attorney

By   
Elisa A. Cusato  
Deputy City Attorney

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