

RESOLUTION NUMBER R- 302397

DATE OF FINAL PASSAGE MAR 05 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST IMPLEMENTATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND VIETNAM VETERANS OF SAN DIEGO; APPROVING THE SALE OF PROPERTY IN THE NORTH BAY REDEVELOPMENT PROJECT AREA; AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE FIRST IMPLEMENTATION AGREEMENT AND THE PROPERTY SALE.

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

WHEREAS, in order to carry out and implement the Redevelopment Plan for the North Bay Project Area, the Agency proposes to enter into a First Implementation Agreement to the Disposition and Development Agreement [DDA] with Vietnam Veterans of San Diego [Developer], pursuant to which the Agency will sell certain property to the Developer, located at 4141 Pacific Highway known as APN: 450-570-19-00 [Property], to construct 112 transitional housing units and an employment center/admissions building as part of a state-of-the-art living and support facility for the treatment of homeless veterans [Development]; and

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety code sections 33000 *et seq.*) the Agency and the City Council held a joint public hearing on the proposed sale and/or lease of the Property pursuant to the DDA, having duly published notice of such public hearing and made copies of the proposed DDA, and other reports and documents available for public inspection and comment; and

WHEREAS, the Developer has executed and submitted to the Agency and the City Council copies of the proposed First Implementation Agreement in the form desired by Developer; and

WHEREAS, the Council has duly considered all terms and conditions of the proposed sale of the Property and believes that the development of the Property pursuant to the proposed First Implementation 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. The Council recognizes that it has received and heard all oral and written objections to the proposed First Implementation Agreement, to the proposed sale of the Property pursuant thereto, and to other matters pertaining to this transaction, and that all such oral and written objections are overruled.
2. The Council finds and determines that the consideration to be paid by the Developer for the sale of the Property as described in the First Implementation Agreement and Attachments thereto is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the First Implementation Agreement and Amended Attachments.
3. The Council finds and determines that the sale of the Property will assist in the elimination of blight in the North Bay Redevelopment Project Area, will provide housing for low and very low-income persons and is consistent with the Project Area Redevelopment Plan.
4. The sale of the Property and the First Implementation Agreement which establishes the terms and conditions for the sale and development of the Property are approved.
5. That the Council authorizes the City Clerk to deliver a copy of this resolution to the Executive Director and members of the Agency.

BE IT FURTHER RESOLVED, that a Mitigated Negative Declaration, Project No. 3787, was prepared for the project in accordance with California Environmental Quality Act [CEQA] Guidelines. This project is adequately addressed in that document and there is no change in

circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA or NEPA.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Carol A. Leone  
Carol A. Leone  
Deputy City Attorney

CAL:cfq  
01/16/07  
Or.Dept:R.A.  
R-2007-713  
Companion Item to RA-2007-65, RA-2007-66, and RA-2007-67  
MMS#3145

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 27 2007.

ELIZABETH S. MALAND  
City Clerk

By Elizabeth Maland  
Deputy City Clerk

Approved: 3.5.07  
(date)

JSL  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor