

**SPECIAL REDEVELOPMENT AGENCY MEETING
OCTOBER 18, 2005**

The meeting was called to order as the City Council at 2:04 p.m. by Deputy Mayor Atkins with Council Member Fyre not present and Districts 2, 8 and the Mayor vacant.

Roll Call Peters, District 2-vacant, Atkins, Young, Maienschein, Fyre, Madaffer, District 8-vacant, and Mayor-vacant

Ellen Oppenheim, Deputy City Manager
Karen Heumann, City Attorney
Elizabeth Maland, City Clerk

The meeting adjourned as the City Council at 2:04 p.m.

The meeting reconvened as the Special Redevelopment Agency with City Council at 2:04 p.m. by Deputy Chair Atkins with all Agency Members present and Districts 2, 8 and the Chair vacant.

Joint Public Hearing -Adoption

1. **Proposed Owner Participation Agreement (including Master Plan and Affordable Housing Agreement) with Ballpark Village LLC and Proposed Variance to the City's Inclusionary Housing Ordinance in the form of the Proposed Affordable Housing Agreement Affecting Parcels of A combined 7.1 acres known as Parcels "C" and "D" East of Petco Park Joint & Concurrent Public Hearing – East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (Districts 2 and 8)**

(Continued from meetings of September 20 and October 11, 2005)

(RA 2006-16)

Subitem A.

Adopt a resolution certifying the Final Addendum for Ballpark Village to the Final Subsequent Environmental Impact Report to the Final Master Environmental Impact Report for the Centre City Redevelopment Project and addressing the Centre City Community Plan and related documents for the Proposed Ballpark and Ancillary Development Projects, and associated plan amendments; making certain findings of fact and adopting a statement of overriding considerations.

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(RA 2006-17) (Rev.. Copy)

Subitem B. Adopt a resolution approving the sale of certain property generally located to the immediate south of the intersection of Park Boulevard and the 12th Avenue Trolley Right of Way (east of Petco Park) in the Centre City Redevelopment Project Area (the "Agency Sales Parcel") to Ballpark Village LLC, and approving the owner participation agreement, the master plan and the affordable housing agreement pertaining to Parcels "C" and "D" (including the Agency Sales Parcel); and making certain findings with respect to such sale.

See Centre City Development Corporation report no.CCDC-05-25 and City Manager report no. CCDC-05-11 dated September 14, 2005.

Council Companion item no. S-501

Staff: Pamela Hamilton 533-7114

Atty: Rachel Witt

Pamela Hamilton, project manager, Centre City Development Corporation, present staff report and slide presentation.

Brad Richter, Centre City Development Corporation, presented the master plan.

The meeting adjourned as the Redevelopment Agency and City Council at 2:52 p.m. for the purpose of a break.

Deputy Mayor Atkins reconvened the meeting at 3:00 p.m. with all Council Members present and Districts 2, 8 and the Mayor vacant.

Deputy Mayor Atkins reconvened the regular meeting simultaneously with the Redevelopment Agency at 3:01 p.m. with all Agency Members present and Districts 2, 8 and the Chair vacant.

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The meeting adjourned as the Redevelopment Agency and City Council at 4:13 p.m. for the purpose of a break.

Deputy Mayor Atkins reconvened the meeting at 4:22 p.m. with all Council Members present and Districts 2, 8 and the Mayor vacant.

Deputy Mayor Atkins reconvened the regular meeting simultaneously with the Redevelopment Agency at 4:23 p.m. with all Agency Members present and Districts 2, 8 and the Chair vacant.

The meeting adjourned as the Redevelopment Agency and City Council at 5:22 p.m. for the purpose of a break.

Deputy Mayor Atkins reconvened the meeting at 6:06 p.m. with all Council Members present and Districts 2, 8 and the Mayor vacant.

Deputy Mayor Atkins reconvened the regular meeting simultaneously with the Redevelopment Agency at 6:06 p.m. with all Agency Members present and Districts 2, 8 and the Chair vacant.

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Public Testimony in opposition by Daniel Beeman, Nick Lawlis, Diane Takvorian, Alexander Quinn, Marco Gonzalez, Maira De Jesus Martinez, Georgette Gomez, Paula Forbis, Robert McDonough, Richard Romero, Donald Seddon, Sherry Yarbrough, Tad Buscho, Kimberly Young, Robert Shaw, Terry Broyles, Steve Friar, Brad Barnum, George Hawkins, Eric Christen, Terry Arnold, Alex Barron, Pilar Arballo, Larry Clemens, Tom Scott, Nikki Clay, Rabbi Laurie Coskey, Jerry Butkeiwitz, Donald Cohen, Connie Ojeda Hernandez, Sharon Cloward, Linc Ward, Jim Schmidt, Collen Boretto, Gary Smith, Joyce Summêr, Arlen Shire, Caryl Iseman, Bob Castaneda, Rachel Ortiz, Tracy Sturgis, Kevin Casey, and Allen Haynie.

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Public testimony in favor by Charles Black, Scott Johnson, John Harder, Sue Reynolds, Richard Lawrence, Father Joe Carroll, Sherm Harmer, Leslie Wide, Vivian Toscano, Virginia Gomez, Kris Hartnett, Jim Peugh, Pastor Victor Ramsey, Ellen Shively, Genoveva Aguilar, Andrew Berg, Robert Buck, Gregg Robinson, and Gloria Cooper.

Motion by Member Madaffer to approve (with Districts 2, 8 and the Chair vacant)

1) move the Centre City Development Corporation's staff recommendation that the City Council and Agency certify the final addendum to the subsequent environmental Impact Report and approve the Owner Participation Agreement dated August 31, 2005, and the Master Plan and Affordable Housing Agreement which are attachments to the Owner Participation Agreement; 2) Council approve a variance to the City's Inclusionary Housing Ordinance in the form of the Affordable Housing Agreement is part of the Owner Participation Agreement; 3) Council and Agency adopt a condition of approval of the Owner Participation Agreement the proposed disclosure condition contained on page 3 of the Centre City Development Corporation's memorandum dated September 15, 2005, which is that the seller of the residential units at Ballpark Village LLC, provide disclosure to buyer regarding conditions related to the proximity of the site to railroad, marine terminal, and other industrial operations.

Second by Member Maienschein

Vote: 2-4

Failed, Yeas-5, 7

Nays-1, 3, 4,, 6

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Motion by Member Madaffer to approve as amended and stated in the prior motion as follows (with Districts 2, 8 and the Chair vacant)

1) move the Centre City Development Corporation's staff recommendation that the City Council and Agency certify the final addendum to the subsequent environmental Impact Report and approve the Owner Participation Agreement dated August 31, 2005, and the Master Plan and Affordable Housing Agreement which are attachments to the Owner Participation Agreement; 2) Council approve a variance to the City's Inclusionary Housing Ordinance in the form of the Affordable Housing Agreement is part of the Owner Participation Agreement; 3) Council and Agency adopt a condition of approval of the Owner Participation Agreement the proposed disclosure condition contained on page 3 of the Centre City Development Corporation's memorandum dated September 15, 2005, which is that the seller of the residential units at Ballpark Village LLC, provide disclosure to buyer regarding conditions related to the proximity of the site to railroad, marine terminal, and other industrial operations.

AND

1) Agency and Council approve the Proposed Owner Participation Agreement including the Master Plan and Affordable Housing Agreement with Ballpark Village LLC, with the following conditions; 2) Agency and Council amends the Affordable Housing Program to provide compliance with the Affordable Housing Ordinance and shall be accomplished by a combination of the following things: a) require the developer to construct at 35,000 gross square feet of affordable housing in accordance with the Affordable Housing Agreement attached to the Owner Participation Agreement as Attachment 10 and changing all references in the Owner Participation Agreement from 100,000 gross square feet of on-site affordable housing; b) require the developer to construct the balance of the affordable housing required by the Affordable Housing Ordinance, off-site in accordance with the Ballpark Village Rental Housing Project recommendations as set forth in Attachment A of the staff report and 3) revise the Master Plan by deleting the words "Affordable Housing: no less than 35,000 gross square feet of affordable housing shall be developed and shall be integrated within the Master Plan" in their place.

Second by Member Young

Vote: 6-0

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Redevelopment Agency Resolution and Document numbers R-03963, R-03964, D-03964a (Owner Participation Agreement); D-03964b (Affordable Housing Agreement).

Adjournment

The meeting adjourned as the Special Redevelopment Agency with City Council at 8:06 p.m.

Elizabeth S. Maland

Elizabeth S. Maland, Secretary Redevelopment Agency
of the City of San Diego
(jis)