

CITY OF ALAMEDA RESOLUTION NO. _____

FINDING THAT THE HARBOR BAY ENTITIES [HARBOR BAY VILLAGE FOUR ASSOCIATES (HBV4), HARBOR BAY VILLAGE FIVE ASSOCIATES (HBV5), AND HARBOR BAY ISLE ASSOCIATES (HBIA)] HAVE DEMONSTRATED GOOD FAITH COMPLIANCE WITH THE TERMS AND CONDITIONS OF DEVELOPMENT AGREEMENT, DA-89-1

WHEREAS, Harbor Bay Village Four Associates (HBV4), Harbor Bay Village Five Associates (HBV5) and Harbor Bay Isle Associates (HBIA) (collectively "Harbor Bay Entities") have initiated a Periodic Review of a Development Agreement between the City of Alameda and said Harbor Bay Entities, as required under Alameda Municipal Code section 30-95.1; and

WHEREAS, the Planning Board held a public hearing on this request February 11, 2019, and adopted Resolution No. PB-18-03, finding the Harbor Bay Entities to be in compliance with the terms and conditions of Development Agreement, DA-89-1, through April 4, 2019; and

WHEREAS, on March 19, 2019, at a duly noticed public meeting, the City Council reviewed and examined pertinent documents regarding Harbor Bay Entities' compliance with the Development Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City Council finds that the Harbor Bay Entities have complied with the terms and conditions of the Development Agreement, DA-89-1, through the April 4, 2019 review period, as summarized in the Annual Report submitted by the Harbor Bay Entities and have demonstrated a continuing good faith effort to implement the terms and conditions as set forth in the Development Agreement; and

BE IT FURTHER RESOLVED, that the City Council hereby declares that Harbor Bay Entities are in compliance with the terms and conditions set forth in the Development Agreement.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure section 1094.6.

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 19th day of March 2019 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this 20th day of March 2019.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM

Michael H. Roush, Interim City Attorney
City of Alameda