



CITY COUNCIL AGENDA REPORT

MEETING DATE: February 2, 2004

ITEM NUMBER: Item Number

SUBJECT: Home Ranch Partial Assignment with Emulex Corporation

DATE: January 23, 2004

FROM: City Attorney's Office

PRESENTATION BY: Tom Wood

FOR FURTHER INFORMATION CONTACT: Tom Wood, Acting City Attorney, 714.754.5399

RECOMMENDATION:

Approve Partial Assignment Agreement and authorize Mayor and Deputy City Clerk to sign and certify its execution.

BACKGROUND:

In March 2001 the City approved the Home Ranch project and a Development Agreement governing certain development rights for the property. Under the provisions of the Development Agreement the owner can sell parts of the property and assign to the buyer certain of the development rights and obligations. As owner of the property, the Segerstrom company is selling a portion of the property to the Emulex Corp. ("Emulex") to use as its headquarters of operations. This Partial Assignment Agreement is required to set forth what rights and obligations under the Development Agreement are transferred to Emulex.

ANALYSIS:

Emulex received final approval from the City Council on October 7, 2002, for development on this site of 3 buildings consisting of 181,735 sq. ft. that will constitute the applicant's business headquarters. This construction has been completed and Emulex is now occupying these premises. This proposed Partial Assignment Agreement allocates between Segerstrom and Emulex certain development rights and obligations contained in the Home Ranch Development Agreement. Basically the assignment transfers to Emulex all "on-site" obligations related to the development of this 14.5 - acre portion of the Home Ranch. The most significant transfer of Development Agreement rights allocates to Emulex 376 AM and 362 PM peak-hour trips from the Home Ranch trip-end budget.

ALTERNATIVES CONSIDERED:

There were no alternatives considered for this action.

FISCAL REVIEW:

There is no fiscal impact caused by the adoption of the proposed ordinance.

LEGAL REVIEW:

The City Attorney's Office drafted this report and no further legal analysis is needed.

CONCLUSION:

This Partial Assignment Agreement satisfactorily allocates the rights and obligations of the Home Ranch Development Agreement between the Segerstroms and Emulex.

TOM WOOD
Acting City Attorney

DISTRIBUTION: City Manager
Deputy City Clerk
Director of Development Services

ATTACHMENTS: [Partial Assignment Agreement](#)

Staff report on Assignment between Segerstroms and Emulex. 1-23-04 2:00