

(RA-2001-45)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03253

ADOPTED ON OCTOBER 24, 2000

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING AN INCREASE IN THE BUDGET AND PHASE FUNDING FOR THE POTTER TRACT/VALENCIA PALMS BUSINESS PARK PUBLIC IMPROVEMENTS LOCATED WITHIN THE CENTRAL IMPERIAL REDEVELOPMENT PROJECT AREA, MAKING CERTAIN FINDINGS WITH RESPECT TO THE PAYMENTS FOR THE IMPROVEMENTS, AND AUTHORIZING THE SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE IMPROVEMENTS.

WHEREAS, the Redevelopment Agency of the City of San Diego [the Agency] and the Council of the City of San Diego by resolutions adopted June 6, 2000 (RA-2000-150 and R-2000-1429), made appropriate findings and authorized the Southeastern Economic Development Corporation [the Corporation] to award a contract for the installation and construction of the Potter Tract/Valencia Palms Business Park Public Improvements [the Improvements] as part of the Redevelopment Plan for the Central Imperial Redevelopment Project [the Project] for the benefit of the Project area and its immediate neighborhood; and

WHEREAS, the Council and Agency authorized the Corporation to award the contract to the lowest qualified bidder, provided the bid did not exceed the established budget of \$2.3 million; and

WHEREAS, the lowest qualified bid was submitted by Weir Construction Corporation in the amount of \$3,101,529; and

WHEREAS, after review and consideration of the bids received and in order to implement the Improvements, the Corporation has divided the Improvements into three phases for construction and funding; and

WHEREAS, \$2,300,000 has previously been authorized for the Improvements; and

WHEREAS, the additional funds necessary for the construction and implementation of Phases 2 and 3 of the Improvements will be allocated from FY 2000 Tax Allocation Bond proceeds and from the reloan of funds by the City to the Agency from the Mount Hope Redevelopment Project Area; and

WHEREAS, as set forth in the contract documents on file in the office of the City Clerk as Document No. RR-294059, if funds are not available for Phases 2 and 3 of the contract, the Corporation may terminate the contract; and

WHEREAS, the Corporation has reviewed and recommends that the Agency authorize the Corporation to award the phase-funded contract for construction of the Improvements; and

WHEREAS, the Agency has duly considered all conditions of the proposed payment for Improvements and believes that the payment by the Agency of all or part of the cost of demolition, installation and construction of the Improvements by the Agency are in the best interest 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 requirements; NOW,

THEREFORE,

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

1. That the Agency finds and determines that the construction of the Improvements

in the Project area for which Agency proposes to pay are of benefit to the Central Imperial Redevelopment Project, that the Agency finds and determines that no other reasonable means of financing the proposed improvements for which the Agency proposes to pay are available to the community, and that the Agency finds and determines that the proposed improvements will assist in eliminating one or more blighting conditions inside the Project area, all as described in Attachment No. 3.

2. That the Agency finds and determines that the construction of the Improvements are consistent with the Implementation Plan adopted for the Project by the Agency pursuant to California Health and Safety Code section 33490, as described in Attachment No. 3.

3. That the Agency authorizes the Executive Director of the Agency, or designee, to execute, for and on behalf of the Agency, an agreement with Weir Construction Corporation, Inc. [the Developer], in the amount of \$3,083,067, for the installation and construction of the Potter Tract/Valencia Palms Business Park Public Improvements as part of the Redevelopment Plan for the Central Imperial Redevelopment Project, a copy of which is on file in the office of the Secretary to the Agency as Document No. D-03253.

4. That the Agency authorizes the use of phase funding for the installation, construction, and payment of the Improvements, in three phases for a total amount not to exceed \$3,391,374, which amount includes a ten percent contingency in the amount of \$308,307.

5. That the Agency authorizes the expenditure of an amount not to exceed \$2,300,000 from the FY 2000 Central Imperial Redevelopment Project Budget (Fund No. 98779), solely and exclusively for the purpose of providing funds for the Improvements.

6. That the Agency authorizes the appropriation of the \$510,000 of FY 2000 Tax Allocation Bond Proceeds solely and exclusively for the purpose of providing funds for the

Improvements.

7. That the Agency authorizes the City Auditor and Comptroller to amend the FY 2000-2001 Budget by increasing the Central Imperial Redevelopment Project Budget by \$510,000 from FY 2000 Tax Allocation Bond Proceeds.

8. That the Agency authorizes the repayment of \$581,374 previously loaned to the Agency from the City of San Diego for the Mount Hope Redevelopment Project Area, and authorizes the acceptance of \$581,374 (from Fund No. 18502 to Fund No. 98779) from the City of San Diego as an interest bearing loan to be used for payment for the Improvements, and to be repaid as soon as practicable from tax increment or other appropriate and available revenue.

9. That the Agency authorizes the City Auditor and Comptroller to amend the FY 2000-2001 Budget by increasing the Central Imperial Redevelopment Project Budget by \$581,374 from Fund No. 18502.

10. That the Agency authorizes the expenditure of an amount not to exceed \$3,391,374 (the total of \$2,300,000, \$510,000, and \$581,374) solely and exclusively for the construction and implementation of the Improvements, provided that an Auditor's Certificate indicating that the respective funds are available has been issued prior to their expenditure.

11. That the Agency authorizes the Corporation, on behalf of the Agency, to administer the contract.

12. Stating for the record, that the Environmental Impact Report [EIR] prepared by The City of San Diego (LDR No. 96-7729) dated April 28, 2000, and certified by the San Diego Planning Commission on May 11, 2000, has been reviewed and considered prior to approval of the Improvements.

APPROVED: CASEY GWINN, General Counsel

By

Carrie L. Gleeson
Deputy General Counsel

CLG:lc:ms

10/11/00

Or.Dept:SEDC

Aud.Cert: See 2100381

RA-2001-45

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