

(RA-2001-88)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03281

ADOPTED ON DECEMBER 12, 2000

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE PURCHASE AND INSTALLATION OF A LIGHTING SYSTEM IN THE LYCEUM THEATRE IN THE HORTON PLAZA REDEVELOPMENT PROJECT, AMENDING THE ANNUAL BUDGET PREVIOUSLY ADOPTED FOR FISCAL YEAR 2000- 2001, AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE PAYMENT FOR THE IMPROVEMENT.

WHEREAS, the Redevelopment Agency of the City of San Diego [the Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Horton Plaza Redevelopment Project [the Project]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Redevelopment Agency proposes to pay for the purchase and installation of a lighting system for the Lyceum Theatre; and

WHEREAS, Centre City Development Corporation [the Corporation] has reviewed and recommends that the Agency consent to and make certain findings to construct a lighting system for the Lyceum Theatre; and

WHEREAS, the Agency has duly considered all conditions of the proposed payment for the improvement and participation and believes that the payment by the Agency of the cost of the purchase and installation of the public improvement by the Agency is in the best interest of the City and 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 a lighting system for the Lyceum Theatre is of benefit to the Project, that the Agency finds and determines that no other reasonable means for financing the proposed improvements for which the Agency proposes to pay are available to the community, and that the Agency finds and determines that proposed improvements will assist in eliminating more blighting conditions inside the Project, all as described in Attachment 1.

2. That the Agency finds and determines that the construction of certain public improvement in the Lyceum Theatre is consistent with the Implementation Plan adopted for the Project by the Agency on June 21, 1994, as Document No. 2141, pursuant to California Health and Safety Code section 33490, as described in Attachment 1.

3. That the Agency is authorized to purchase and install a lighting system for the Lyceum Theatre in the Horton Plaza Redevelopment Project.

4. That the Executive Director or designee is authorized to amend the Fiscal Year 2001 Budget by increasing the Horton Plaza Theatre Budget by \$191,000.

5. That approval of this amendment constitutes authority for the expenditure of funds by CCDC in Fiscal Year 2000-2001 provided that funds are available from disposition proceeds, developer advances, that tax increment generated by the Project area, and from funds allocated by the Council of The City of San Diego from various sources.

6. That the City Auditor and Comptroller is authorized:

a. To establish the necessary accounts; and

b. To appropriate and to allot all monies available in each project fund up to the amount of revenues available in each project fund.

7. That the City Auditor and Comptroller is authorized to carry forward any balance

remaining in each budgetary account at the end of each fiscal year into the next fiscal year as a continuing appropriation, subject to amendment by the Agency.

8. That the President of CCDC, or designee, is authorized to expend funds as appropriate for the implementation of the Horton Plaza Theatre Budget.

9. That the President of CCDC, or designee, is authorized to request the City Auditor and Comptroller to make budgetary transfers between the line items and object accounts within each project fund.

10. That the Agency authorizes the City Auditor and Comptroller, upon the request of CCDC, to transfer or loan funds between sub-projects within a project, provided that such transfers or loans do not increase or decrease the total project budgets or result in a use of such funds which would be inconsistent with the permitted uses of such funds.

11. That in the event the Agency desires to issue bonds, notes, or other instruments of indebtedness of the Agency to carry out redevelopment projects, then any indebtedness of the Agency to The City of San Diego, including any accrued interest, shall be deemed not to be a first pledge of tax increment allocations received by the Agency pursuant to California Health and Safety Code Section 33670; and any indebtedness of the Agency to The City of San Diego, including any accrued interest, shall be subordinate to any pledge of tax increment to bondholders or the holders of other such instruments of indebtedness.

12. That the Executive Director of the Agency, or designee, is authorized to award the contract to the lowest qualified bidder, provided the bid is within the established budget.

13. That the Agency is authorized to administer the contract.

14. That the total amount of the contract and agreement shall not exceed \$191,000.00.

APPROVED: CASEY GWINN, General Counsel

By

Elisa A. Cusato
Deputy General Counsel

EAC:lc

11/30/00

Or.Dept:CCDC

Aud.Cert:

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