

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NUMBER R-03993
DATE OF FINAL PASSAGE JAN 30 2006

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE CENTRE CITY DEVELOPMENT CORPORATION TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH PFOCUS LLC FOR CONSTRUCTION PHASE OWNER'S REPRESENTATIVE CONSULTING SERVICES FOR THE REHABILITATION OF THE HISTORIC BALBOA THEATRE.

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

WHEREAS, the Centre City Development Corporation [CCDC] is responsible for implementing redevelopment projects in the Project Area; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency approved the Implementation Plans for the period of July 2004 – June 2009 for the Centre City and Horton Plaza Redevelopment Projects; and

WHEREAS, the Implementation Plans identify the Historic Balboa Theatre as a focus project and one of two structures that are blighted and require rehabilitation; and

WHEREAS, a study conducted by Harrison Price Company with assistance from Theatre Projects in 1986 concluded that there was a need for a first class, professional, mid-sized lyric

theater (1,500 seats ±), and over the past seventeen years no new or rehabilitated families have come on line, and therefore, the need has only grown; and

WHEREAS, the renovation will prepare the building for occupancy; and

WHEREAS, the Historic Balboa Theatre is an Agency asset; and

WHEREAS, the Historic Balboa Theatre is listed on the National Register of Historic Places and the Agency desires to rehabilitate the Historic Balboa Theatre for adaptive reuse as a publicly maintained and operated state-of-the-art, multi-purpose, performing arts center; and

WHEREAS, CCDC contracted with Pfocus LLC to lead the project team and facilitate delivery of the renovation of the Historic Balboa Theatre; and

WHEREAS, Pfocus LLC has successfully completed their design phase scope of services; and

WHEREAS, the Agency will require Construction Phase Owner's Representative Consulting Services during the 17 month duration of the final renovation construction contract; NOW, THEREFORE,


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

1. That CCDC is authorized to enter into the First Amendment with Pfocus LLC in the amount of \$263,225 for Construction Phase Owner's Representative Consulting Services for the Rehabilitation of the Historic Balboa Theatre. The total compensation under the Agreement shall not exceed \$413,225.

2. That the Auditor is authorized to appropriate and expend up to \$263,225 from the

funds listed on Auditor's Certificate No. 2600516 for the purpose of financing the First Amendment.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By 
Eunice C. Chan
Deputy General Counsel


ECC:nda
12/13/05
01/13/06COR.COPY
01/19/06COR.COPY
Or.Dept:Redev.Agency
RA-2006-64
MMS#2855

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of JAN 24 2006.

ELIZABETH S. MALAND
Secretary

By 
Secretary

Jeannette Santos, Deputy Redevelopment Agency

By 
Deputy Redevelopment Agency

Approved: 1-30-06
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2600516
DEPT. _____
NO. 9960

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$263,225.00

Vendor: Pfocus LLC

Purpose: Authorizing the expenditure of funds for the First Amendment to the agreement for consulting servies related to the construction phase of the rehabilitation of the Historic Balboa Theatre.

Date: December 29, 2005 By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	98445	984457	2015	4118	2015				\$263,225.00
TOTAL AMOUNT										\$263,225.00

FUND OVERRIDE

JAN 24 2006

Passed by the Redevelopment Agency of The City of San Diego on _____, by the following vote:

Agency Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


Date of final passage JAN 30 2006

AUTHENTICATED BY:

JERRY SANDERS
Executive Director of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
Secretary of The City of San Diego, California.

By , Deputy

Office of the Redevelopment Agency, San Diego, California
Resolution Number <u>R- 03993</u>