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(RA-2006-104)

REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NUMBER R-04023  
DATE OF FINAL PASSAGE MAY 19 2006

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CITY OF SAN DIEGO FOR THE MAINTENANCE OF CORTEZ HILL / TWEET STREET PARK.

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 Centre City Redevelopment Project; and

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

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

WHEREAS, the Implementation Plan identifies the need to create public open spaces; and

WHEREAS, the Cortez Hill/Tweet Street Park [Project] has been identified as a public open space within the centre City Redevelopment Project Area; and

WHEREAS, development plans for the Project have been drafted with neighborhood participation; and

WHEREAS, in accordance with California Health and Safety Code section 33391, the Agency desires to provide financial assistance to the City to allow the City to lease unused right of way property owned by the California Department of Transportation [Cal Trans] within the boundaries of the Project, in accordance with the terms and conditions of a Marler-Johnson Lease Agreement [Lease Agreement]; and

WHEREAS, in accordance with California Health and Safety Code section 33445, the Agency further desires to construct public improvements for the Project [Public Improvements]; and

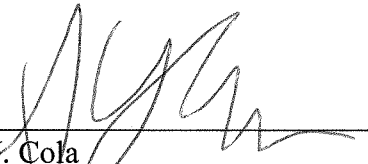
Whereas, the City desires to enter into the Lease Agreement and maintain the Public Improvements in accordance with the City's standard maintenance procedures for public parks within the City of San Diego, in exchange for the Agency's financial assistance and construction of the Public Improvements; NOW, THEREFORE

BE IT RESOLVED, by the Redevelopment Agency of the City of San Diego, that the Executive Director of the Agency, or designee, is authorized to execute for and on behalf of the Agency, an Agreement with the City of San Diego for the construction and maintenance of the Project, located on Date Street and Tenth Avenue. A copy of that Agreement is on file in the office of the Secretary of the Agency as Document No. 04023.

BE IT FURTHER RESOLVED, by the Redevelopment Agency of the City of San Diego, that, based upon the information provided in Attachment A (attached hereto), the Agency finds that the Public Improvements are of benefit to the Centre City Redevelopment Project Area; no other reasonable means of financing the Public Improvements are available to the City; and the

Agency's payment of the Public Improvements will assist in the elimination of one ore more of the blighting conditions inside the Centre City Redevelopment Project Area, and is consistent with the Implementation Plan adopted pursuant to California Health and Safety Code section 33490.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By   
Susan Y. Cola  
Deputy General Counsel

SYC:mm  
04/11/06  
Or.Dept:CCDC  
Aud.Cert: N/A  
RA-2006-104  
MMS #3154  
Companion: RA-2006-105, 106 & O-2006-109

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of MAY 16 2006.

ELIZABETH S. MALAND  
Secretary

By   
Secretary

Jeannette Santos, Deputy Redevelopment Agency

By   
Deputy Redevelopment Agency

Approved: 5-19-06  
(date)

  
JERRY SANDERS, Executive Director

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Executive Director

SUBJECT IMPROVEMENTS:

REQUEST TO BID PUBLIC IMPROVEMENTS - "Tweet Street / Cortez Hill Park, Cortez Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Area"

The subject improvements for which the Redevelopment Agency of the City of San Diego (Agency) proposes to pay will benefit the Cortez Redevelopment District or the immediate neighborhood in which the Project area is located in that:

- A. The improvements are within the Cortez Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project, adjacent to some undeveloped properties, and some properties that have been redeveloped and will not likely be redeveloped in the near future;
- B. The improvements will enhance the area for the benefit of nearby users as well as residents;
- C. The improvements will provide much needed open space for local residents;
- D. The improvements utilize an unused piece of Caltrans right-of-way on the north side of Date Street and the east side of 10<sup>th</sup> Avenue; and
- E. The improvements will advance the Vision and Goals of the Cortez Redevelopment District of the Centre City Redevelopment Project by eliminating blight and using the right-of-way as a park-like amenity.

II. NO OTHER REASONABLE MEANS OF FINANCING

There are no other reasonable means available to the community for financing the subject improvements for which the Agency proposes to pay in that:

City of San Diego

- A. The Fiscal Year 2006 Budget for the City of San Diego (City) decreased approximately 4.7%. The decrease includes Special Revenue, water and sewer, tax funds, General and revenue funds from other Agencies. Over the last several years, as the City's CIP has grown and revenues have leveled off, the City has developed phase funding to use available cash and minimize the issuance of bond proceeds. This is a means whereby

large projects may be budgeted and contracted for in an efficient manner that maximizes the City's use of available funds.

- B. The City's capital improvement budget is funded primarily with water and sewer fees, developer impact fees, grant funds, enterprise fund revenues, Facility Benefit Assessment funds, Gas Tax and Transnet funds. The Fiscal Year 2006 Capital Improvement Program Budget decreased 38.8% from the Fiscal Year 2005 Budget. The Fiscal Year 2006 CIP Budget provides for the sewer upgrade of the City's Metropolitan and Municipal Wastewater System, water projects, Parks and Recreation projects, library projects, transportation projects and special projects. This is mainly attributable to the City temporarily being unable to access the bond market.
- C. Most major tax revenue categories continue to show signs of growth. Moderate growth is anticipated for most Fiscal Year 2006 major revenues. The economic growth rates for major revenue categories are: property tax (7.5%), sales tax (4.5%), Transient Occupancy Tax (5.0%) and franchise fees (7.5%).
- D. The City's Fiscal Year 2006 Capital Improvements Budget (CIP) is embodied in Volumes IV and V of the City's Budget. The Agency's Fiscal Year 2006 Program Budget was adopted on June 20, 2005. The CIP and the Agency's Budget were developed in accordance with City and Council Policy, and each project activity was evaluated and incorporated in the respective budgets. Projects are funded based on need and the availability of appropriate funding sources. The City's CIP Budget totals \$356.9 million, a decrease of \$128.8 million over Fiscal Year 2005.

### III. ELIMINATION OF BLIGHTING CONDITIONS

The payment of funds toward the cost of the construction and installation of the subject improvements will assist in the elimination of one or more blighting conditions inside the Cortez Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Area. The proposed improvements are consistent with the Implementation Plan adopted for the Project pursuant to Health and Safety Code 33490, in that:

- A. The improvements will enhance the public right of way and replace inadequate or missing public improvements. The proposed improvements will remove and replace these adverse conditions.
- B. These improvements will include street lights thereby increasing lighting levels on public sidewalks.

- C. The improvements will create public amenities for a residential neighborhood including a public park / spaces and recreational facilities.
- D. The improvements act as a catalyst providing an incentive for private investment, thereby contributing to the removal of economic blight.
- E. The creation of public amenities in this area is included in the work program of the Implementation Plan adopted July 20, 2004 pursuant to Health and Safety Code 33490.

MAY 16 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 19 2006

AUTHENTICATED BY:

JERRY SANDERS

Executive Director of The Redevelopment Agency of The City of San Diego, California.

ELIZABETH S. MALAND

Secretary of The Redevelopment Agency of The City of San Diego, California

(Seal)

By *Jamette F. Santos*, Deputy

Office of the Redevelopment Agency, San Diego, California

Resolution Number R- 04023