

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R-03942

ADOPTED ON JULY 19, 2005

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE ADDITIONAL EXPENDITURE FOR LANDFILL DISPOSAL FEES FOR THE SMART CORNER PROJECT SITE LOCATED WITHIN THE CORE REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT.

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 the Redevelopment Plan for the Centre City Redevelopment Project; and

WHEREAS, the Agency entered into a Disposition and Development Agreement [DDA] with Lankford and Associates, Inc. [Developer] pertaining to the “Smart Corner” development, a mixed-use development located on the block bounded by 11th, 12th, Broadway and C Street, which is located within the boundaries of the Centre City Redevelopment Project area [Project]; and

Whereas, Section 212 of the DDA provides that the Agency is responsible for the disposal of the contaminated soil generated from the Project site; and

Whereas, on or about November 2004, CCDC entered into an Agreement with a subsidiary of Allied Waste Company [Allied Waste], for disposal of contaminated soil from the Project site on a cost per ton basis, for an amount not to exceed \$657,000, as authorized by the Agency; and

WHEREAS, CCDC wishes to increase said authorized amount by entering into a Supplemental Agreement with Allied Waste for the disposal of additional contaminated soil on a cost per ton basis, for an amount not to exceed \$487,241, in accordance with the terms and conditions of the Agreement on file in the Office of the Redevelopment Agency as Document No. D-03942. NOW, THEREFORE,

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

1. That the CCDC President or his designee is authorized to execute a Supplemental Agreement with Allied Waste in accordance with the terms and conditions of the Agreement on file in the Office of the Agency as Document No. D-03942, for landfill disposal services for the Project, in an amount not to exceed \$487,241.

2. That the City Auditor and Comptroller is authorized to appropriate and expend funds not to exceed \$487,241 from Fund 98860, solely and exclusively, for the purpose of financing the Supplemental Agreement.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By _____
Susan Y. Cola
Deputy General Counsel

SYC:kat
07/06/05
Or.Dept:CCDC

Aud. Cert: AC2600003
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