

Item 2 *RAM*

(RA-2007-71)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04111

DATE OF FINAL PASSAGE MAR 05 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO STATING FOR THE RECORD THAT THE AGENCY HAS PREVIOUSLY REVIEWED AND CONSIDERED INFORMATION CONTAINED IN THE MASTER ENVIRONMENTAL IMPACT REPORT WITH RESPECT TO THE PROPOSED 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 [Project]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency proposes to enter into a fifteen-year Agreement with NRG Energy Center San Diego, LLC [NRG] for chilled water supply service to the historic Balboa Theatre located at 868 Fourth Avenue in the Horton Plaza Redevelopment Project;

WHEREAS, the Agency has previously prepared the following environmental documents for the Project [collectively, the MEIR/SEIR]:

- A. "Environmental Impact Statement, Plaza Redevelopment Project," Chapter VII of the Report to City Council on the Redevelopment Plan for the Horton Plaza Redevelopment Project, June 1972;
- B. A Supplemental Report to an Environmental Impact Statement on the Horton Plaza Urban Redevelopment Project (EQD-72-11-18) dated October 1, 1973;
- C. Supplemental Master Environmental Impact Report for the Centre City Redevelopment Project, certified by the Redevelopment Agency by Resolution

- No. R-416 adopted January 9, 1979, and certified by the City Council by Resolution No. R-222568 adopted January 9, 1979;
- D. Environmental Impact Secondary Study re: Horton Plaza Retail Center, prepared for the First Amended Disposition and Development Agreement [DDA]; and certified by the Redevelopment Agency by Resolution No. R-460 adopted August 1, 1979, and certified by the City Council by Resolution No. R-224151 adopted August 1, 1979;
- E. Environmental Impact Secondary Study re: Horton Plaza Retail Center, prepared for the Second Amended DDA, and certified by the Redevelopment Agency by Resolution No. R-694 adopted October 17, 1981, and certified by the City Council by Resolution No. R-255269 adopted October 17, 1981;
- F. Environmental Impact Secondary Study re: Horton Plaza Retail Center, prepared for the Third Amended DDA and certified by the Redevelopment Agency by Resolution No. R-799 adopted September 21, 1982, and certified by the City Council by Resolution No. R-257193 adopted September 21, 1982;
- G. Final Amended Supplement to the Environmental Impact Report for the Horton Plaza Redevelopment Project, Proposed San Diego Arts Center–Balboa Theater Building, dated October 23, 1984;
- H. Final Master Environmental Impact Report for the Centre City Redevelopment Project and Addressing the Centre City Community Plan and Related Documents, certified by the Redevelopment Agency by Resolution No. R-2081 adopted April 28, 1992, and certified by the City Council by Resolution No. R-279875 on April 28, 1992; and

- I. Final Subsequent Environmental Impact Report to the Final Master Environmental Impact Report Addressing the Centre City Community Plan and Related Documents for the Proposed Ballpark and Ancillary Development Projects and Associated Plan Amendments, certified by the Redevelopment Agency by Resolution Nos. R-03058, R-03063, and R-03066 adopted October 26, 1999, and certified by the City Council by Resolution Nos. R-292363, R-292366, and R-292371 adopted October 26, 1999; and

WHEREAS, the installation of a chilled water cooling system for the historic Balboa Theatre is a redevelopment implementation activity whose environmental impacts are assessed in the MEIR/SEIR; and

WHEREAS, Centre City Development Corporation, Inc., acting on behalf of Agency, has prepared an Environmental Secondary Study for the Proposed Balboa Theatre Rehabilitation, dated January 31, 2001 [Secondary Study], in accordance with and pursuant to the California Environmental Quality Act of 1970 [CEQA] and State and local regulations and guidelines adopted pursuant thereto, that assesses the environmental impacts of the rehabilitation of Balboa Theatre, certified by the Agency on March 27, 2001 by Resolution No. R-03314; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of the City of San Diego stating for the record that the information contained in MEIR/SEIR and the Secondary Study, including any comments received during the public review process, has been previously reviewed and considered by this Agency and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline section 15162 would warrant any additional environmental review in connection with approval of the installation of a chilled water cooling system for the historic Balboa Theatre.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By Carol A. Leone
Carol A. Leone
Deputy Counsel

CAL:cfq
02/05/07
Or.Dept:CCDC
RA-2007-71
MMS#3100

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of FEB 27 2007.

REDEVELOPMENT AGENCY

By Jeannette Santos
Jeannette Santos, Deputy Secretary

Approved: 3.5.07
(date)

Jerry Sanders
JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on FEB 27 2007, 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 MAR 05 2007

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

R- 04111