

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R-04118

DATE OF FINAL PASSAGE MAR 05 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO MAKING CERTAIN FINDINGS WITH RESPECT TO THE FABRICATION AND INSTALLATION OF THE MARQUEE CANOPY AND VERTICAL BLADE SIGN FOR 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 Implementation Plans for the period of July 2004 – June 2009 for the Centre City and Horton Plaza Redevelopment Projects have previously been approved; 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 Historic Balboa Theatre is an important asset to the Agency; and

WHEREAS, the Agency approved Basic Concept/Schematic Drawings for the rehabilitation of the Balboa Theatre on March 27, 2001 by Redevelopment Agency Resolution No. R-03313; and

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 fabrication and installation of the marquee canopy and vertical blade sign for the Historic Balboa Theatre is a redevelopment implementation activity whose environmental impacts are assessed in the MEIR/SEIR; and

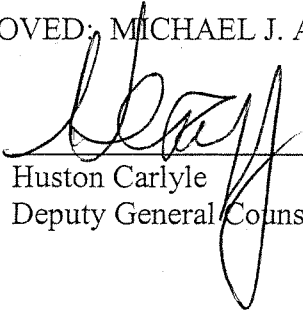
WHEREAS, Centre City Development Corporation, Inc., acting on behalf of Agency, has prepared an Environmental Secondary Study for the Proposed Balboa Theater Rehabilitation dated January 31, 2001 [Secondary Study], in accordance with and pursuant to the California Environmental Quality Act of 1970 [CEQA] and State and local regulations and guidelines adopted pursuant thereto, that assesses the environmental impacts of the rehabilitation of the 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, as follows:

1. That the Redevelopment Agency as the Lead Agency under CEQA, stating for the record that the information contained in the afore-mentioned 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 fabrication and installation of the marquee canopy and vertical blade sign for the Historic Balboa Theatre.

2. That CCDC 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-referenced fabrication and installation of the marquee canopy and vertical blade sign for the Historic Balboa Theatre.

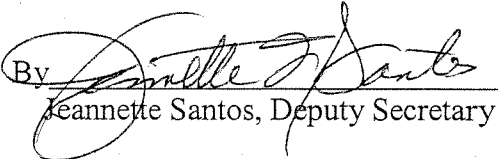
APPROVED: MICHAEL J. AGUIRRE, General Counsel

By  _____
Huston Carlyle
Deputy General Counsel

HC:sc
02/14/07
Or.Dept:Redevelopment
RA-2007-73
MMS#4443

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, Deputy Secretary

Approved: 3.5.07
(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

AC 2700544

ORIGINATING

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: \$500,000.00 Fund: _____

Purpose: Authorizing the expenditure of funds for the fabrication and installation of the Marquee Canopy and Vertical Blade Sign for Historic Balboa Theatre Rehabilitation - Horton Plaza Redevelopment Project.

Date: February 8, 2007

By: Larissa Kogay

Larissa Kogay
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1		98445	984454	2009	6030	2009				\$500,000.00
TOTAL AMOUNT										\$500,000.00

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: _____

Vendor: _____

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

AC 2700544

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Jeanette J. Santos*, Deputy

Office of the Redevelopment Agency, San Diego, California

Resolution Number

R- 04118