

KA# 5
10/30/07 RA #24

(RA-2008-44)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04217

DATE OF FINAL PASSAGE NOV 16 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING APPROVAL OF CHANGE ORDER NO. 8 WITH PCL CONSTRUCTION SERVICES, INC. TO ADD \$250,000 FOR CHANGE ORDER NO. 8 FOR A CONTRACT FOR THE REHABILITATION OF THE HISTORIC BALBOA THEATRE IN THE HORTON PLAZA 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 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 + or -), 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 Agency asset; and

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

WHEREAS, the Agency executed a contract with PCL Construction Services, Inc. on April 25, 2006 for the renovation phase of the rehabilitation of the Balboa; and

WHEREAS, the Agency has had to modify the contract bid documents to account for differing field conditions or has desired to incorporate enhancements; NOW, THEREFORE,

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

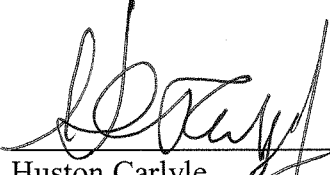
1. That the Agency authorizes the Executive Director and/or his designee to execute Change Order No. 8 in an amount not to exceed \$225,027 to PCL Construction Services, Inc. provided approval of the Change Order No. 8 by the Agency's General Counsel; and D-04217

2. That the total amount of the contract shall not exceed \$17,785,166.

BE IT FURTHER RESOLVED, that on March 27, 2001, the Agency adopted R-03314 certifying that the Agency had reviewed and considered information contained in the MEIR and the Environmental Secondary Study prepared for the Balboa Theatre Rehabilitation. The Secondary Study found the project to be in compliance with the MEIR and the Planned District Ordinance. No additional environmental documents are required.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By

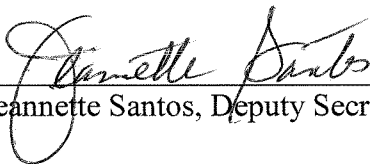


Huston Carlyle
Deputy General Counsel

HC:cfq
10/10/07
Or.Dept:CCDC
Aud.Cert:
RA-2008-44
MMS#5422

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of OCT 30 2007.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 11-16-07
(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 2800274

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: \$250,000.00

Purpose: Authorizing expenditure of funds for Amendment to the Rehabilitation of the Historic Balboa Theatre - Horton Plaza Redevelopment Project.

Date: October 10, 2007

By: 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
001	0	98445	984457	2007	6030	002007				\$191,000.00
002	0	98445	984458	2007	6030	002007				21,000.00
003	0	98445	984453	2007	6030	002007				38,000.00
TOTAL AMOUNT										\$250,000.00

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.

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										

Passed by the Redevelopment Agency of The City of San Diego on OCI 30 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

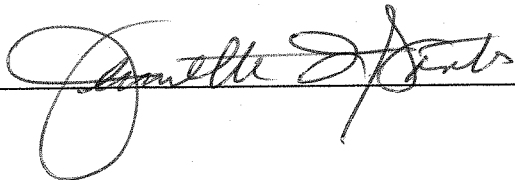
Date of final passage NOV 16 2007

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-04217