

KIT JENN # 2
1a
5/20/08 RA mtg
(RA-2008-122)

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04278

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING AND ADOPTING THE ANNUAL PROGRAM BUDGETS FOR FISCAL YEAR 2009 FOR THE REDEVELOPMENT PROJECTS ADMINISTERED BY THE CENTRE CITY DEVELOPMENT CORPORATION.

WHEREAS, the Redevelopment Agency of the City of San Diego [the Agency] is engaged in activities necessary to carry out and implement redevelopment plans for the City of San Diego [City]; and

WHEREAS, the Centre City Development Corporation, Inc. [CCDC] has been authorized to administer the redevelopment projects in the Centre City area; and

WHEREAS, a description of redevelopment activities is contained in the City's Fiscal Year 2009 Proposed Budget, which is on file in the office of the secretary to the Agency as Document No. D-04278 and describes the redevelopment activities administered by CCDC (Centre City and Horton Plaza Redevelopment Projects); NOW, THEREFORE,

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

1. That the proposed Fiscal Year 2009 program and project budgets administered by CCDC as contained in the Redevelopment Agency of the City of San Diego Proposed Fiscal Year 2009 Budget, as described and presented in the Redevelopment Agency Report RA-08-15 and Report to Council RTC - 08-072, a copy of which is on file in the office of the

secretary to the Agency as Document No. 04278, and the office of the City Clerk as Document No. 2303730, is hereby approved and adopted.

2. That approval of this budget constitutes authority for the expenditure of available funds by CCDC in Fiscal Year 2009, provided that funds are available from the tax increment generated by the projects; from bond sales, land sales and developer proceeds; and from funds allocated by the Council of the City of San Diego from such sources as Community Development Block Grant, sales tax and others; and from the allocation of funds by such entities as the U.S. Department of Housing and Urban Development, Economic Development Administration and others.

3. That the City Comptroller is hereby authorized to (a) establish the necessary accounts, (b) appropriate all monies available in each project fund up to the amounts budgeted herein, and (c) record the expenditures of funds and the recovery of all accrued costs subject to the amount of revenues available in each project fund.

4. That the City Comptroller is hereby authorized to carry forward any unexpended balance remaining in each budgetary account at the end of each fiscal year into the next fiscal year as a continuing appropriation, subject to amendment by the Agency.

5. That the President of CCDC, or designee, is hereby authorized to (a) expend funds as appropriate for the implementation of redevelopment projects, (b) request the City Comptroller to make budgetary transfers within each project fund, and (c) request the City Comptroller to transfer appropriations or loan available funds between sub-projects within a project, provided that such transfers or loans do not increase or decrease the total project budget or result in a use of funds which would be inconsistent with the permitted use(s) of such funds.

6. That the Agency authorizes the City Comptroller, upon the request of the CCDC President, or designee, to transfer appropriations or loan funds between projects within a project area to the extent that appropriations or funds are available, provided that such transfers of appropriations or loan of funds do not result in a use of such funds which would be inconsistent with the permitted use(s) of such funds.

7. That any and all funds advanced by the City of San Diego to the Agency for the purpose of implementing the adopted budgets are to be considered loans to be repaid whenever practicable from tax increment or other appropriate revenues.

8. That the City Comptroller may, at the request of the CCDC President, or designee, increase the appropriations for the appropriate funds within each project area for revenues received in excess of budget estimates for each project area, when the City Comptroller is satisfied that additional revenues to be received will exceed the budgeted revenue estimated in each of the appropriate funds.

9. That the City Comptroller is authorized, upon the request of the CCDC President, or designee, to increase appropriations for the purposes of making payments due to tax-sharing agreements/requirements, or for tax increment payments to developers consistent with Agency approved Disposition and Development Agreements, Purchase Agreements, Loan Agreements, Promissory Notes, or other instruments, provided sufficient revenues have been received and are available for such purposes.


10. That any and all debts of the Agency to the City of San Diego shall accrue interest at the rate approved by the Council of the City of San Diego; such interest accrual to be calculated by the City Comptroller.

11. That in the event that the Agency desires to issue bonds, notes, or other instruments of indebtedness of the Agency to carry out redevelopment projects, any indebtedness of the Agency to the City of San Diego, including any interest accrued thereon, shall be deemed not to be a first pledge of tax increment allocations received by the Agency pursuant to California Health and Safety Code section 33670; and any indebtedness of the Agency to the City of San Diego, including any interest accrued thereon, shall be subordinate to any pledge of tax increments to bondholders or the holders of other such instruments of indebtedness.

12. That in the event the Agency has not yet adopted the Fiscal Year 2010 budget and appropriations resolution prior to the beginning of Fiscal Year 2010, the City Comptroller shall approve the payments necessary for the Agency to continue to conduct business at the funding levels approved by this resolution for Fiscal Year 2009.

13. That the activities set forth herein are not a "project" and are therefore exempt from the California Environmental Quality Act ["CEQA"] pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By 
Huston Carlyle
Deputy General Counsel

HC:cfq
04/24/08
Or.Dept:RA
RA-2008-122
Council:Companion R-2008-1004
MMS#6178

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of MAY 20 2008.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 5-30-08
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on MAY 20 2008, 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 type="checkbox"/>	<input checked="" 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"/>

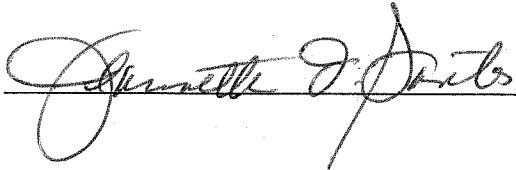
Date of final passage MAY 30 2008

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- 04278