

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04330

DATE OF FINAL PASSAGE OCT 27 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING APPROVAL OF CHANGE ORDER NOS. 11 AND 12 WITH PCL CONSTRUCTION SERVICES, INC. AND INCREASING THE ENCUMBRANCE 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 [Theatre] as a focus project; and

WHEREAS, On April 25, 2006, by Resolution No. R-03986, the Agency executed a contract with PCL Construction Services, Inc. [PCL], for the renovation phase of the rehabilitation of the Theatre; and

WHEREAS, Change Order Nos. 1 through 10 were executed for additional work performed by PCL; and

WHEREAS, the Agency proposes to approve Change Order No. 11 in the amount of \$153,441, and Change Order No. 12 in the amount of \$6,820, for a total amount not to exceed \$160,261; and

WHEREAS, a contingency of \$20,838 remains, therefore, it is necessary to move \$25,000 from the Theatre budget to fund the Change Orders; and

WHEREAS, the proposed Change Orders are the final Change Orders related to the agreement with PCL for the rehabilitation of the Theatre, and are to compensate the contractor for various changes required in the scope of work including but not limited to, structural modifications, electrical upgrades, repair and replacement of vintage plumbing pipes, architectural enhancements and door/hardware revisions, HVAC/mechanical modifications, and items of work related to the organ accommodation; and

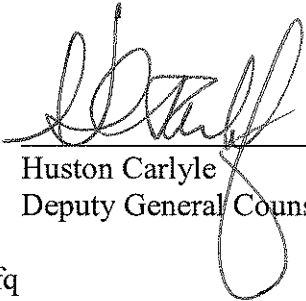
WHEREAS, funds in the amount of \$25,000 are available in the Fiscal Year 2009 Agency Horton Plaza Redevelopment Project Theatre Budget; NOW, THEREFORE,

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. 11 in the amount of \$153,441, and Change Order No. 12 in the amount of \$6,820, for a total amount not to exceed \$160,261, to PCL, provided approval of the Change Order Nos. 11 and 12 by the Agency's General Counsel; and
2. That the Agency authorizes the Executive Director and/or his designee to increase the encumbrance in the amount of \$25,000 for the final phase of renovation of the Theatre, to be completed by PCL.

BE IT FURTHER RESOLVED, this activity is not a "project" and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060(c) (3).

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By 
Huston Carlyle
Deputy General Counsel

HC:cfq
09/29/08
Or.Dept:CCDC
Aud.Cert:
RA-2009-29
MMS#6849

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of OCT 21 2008.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 10-27-08
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTRROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2900262

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: _____ Fund: _____

Purpose: _____

Date: _____ By: _____

AUDITOR AND COMPTRROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

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.

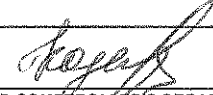
Not to Exceed: \$25,000.00

Vendor: PCL Construction Services, Inc.

Purpose: Authorizing the expenditure of funds for the final phase of renovation of the Balboa Theatre, located at 868 Fourth Avenue in the Horton Plaza Redevelopment Project.

Date: September 30, 2008

By: Larissa Kogay



AUDITOR AND COMPTRROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORGANIZ	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001		98445	984453	2009	6030	002009				\$25,000.00
TOTAL AMOUNT										\$25,000.00

FUND OVERRIDE

AC 2900262

Passed by the Redevelopment Agency of The City of San Diego on OCT 21 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 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"/>

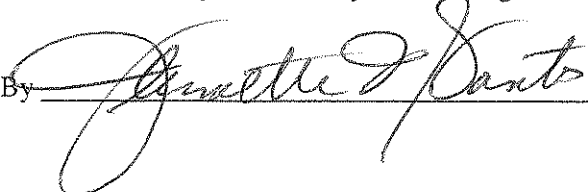
Date of final passage OCT 27 2008

AUTHENTICATED BY:

JERRY SANDERS
Executive Director of The City of San Diego, California.

ELIZABETH S. MALAND
Secretary of The City of San Diego, California.

(Seal)

By , Deputy

Office of the Redevelopment Agency, San Diego, California

Resolution Number R-04330