

*R.A. Item 4
Items 1+2 SpRA 2008
(RA-2009-54) 12/2/08*

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04354

DATE OF FINAL PASSAGE DEC 15 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE LOAN AGREEMENT BETWEEN URBAN CORPS OF SAN DIEGO COUNTY AND THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND AUTHORIZING FUNDING FOR THE PROJECT.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in the activities necessary to carry out and implement the Redevelopment Plan for the North Bay Redevelopment Project Area [Project Area]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the North Bay Project Area, the Agency proposes to enter into a Loan Agreement with Urban Corps of San Diego County [Borrower] for the rehabilitation and improvement of that certain real property owned by Borrower [Property] in relation to the construction and development on the Property of a LEED Certified Educational Recycling Center and roof garden [Project]; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Loan Agreement and believes that the proposed Loan Agreement is in the best interest of the City of San Diego [City] and the health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements; and

WHEREAS, the Agency will provide funds in the form of a residual receipts loan in the amount of Two Hundred and Twenty Five Thousand Dollars and a forgivable loan in the amount of Two Hundred and Fifty Thousand Dollars to Borrower, for a total amount not to exceed Four

Hundred Seventy Five Thousand Dollars derived from tax increment monies from the North Bay Project Area to be used as partial funding towards the construction and development of the improvements;

WHEREAS, City staff has determined that the rehabilitation and improvement of the Property pursuant to the Loan Agreement is not a project and as such is not subject to the environmental review requirements of the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines Section 15060 (c)(3); and

WHEREAS, the Borrower has executed and submitted to the Agency copies of the proposed Loan Agreement in a form desired by Agency; NOW THEREFORE,

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

1. That the Agency has received and heard all oral and written objections to the proposed Loan Agreement, the proposed residual receipts loan, the proposed forgivable loan and to other matters pertaining to this transaction, and that all such oral and written objections are overruled.

2. That the Agency finds and determines: that the site improvements are of benefit to the North Bay Redevelopment Project; that such action will assist in eliminating one or more blighting conditions inside the Project Area; and that such an action is consistent with the Implementation Plan adopted for the Project Area by the Agency on June 3, 2008, on file as Document No. 04267 in the office of the Secretary to the Agency pursuant to California Health and Safety Code Section 33490.

3. That the Agency finds and determines that all consideration to be paid pursuant to the Loan Agreement is in amounts necessary to effectuate the purposes of the Redevelopment Plan for the Project Area.

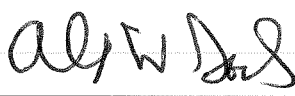
4. That the Agency authorizes the expenditure not to exceed Four Hundred Seventy Five Thousand Dollars in the form of a residual receipts loan and a forgivable loan to Borrower be used solely and exclusively for the purposes of providing funds for the rehabilitation and improvement of the Property as described in the Loan Agreement.

5. The residual receipts loan, the forgivable loan, and the Loan Agreement which establishes the terms and conditions for the loans for the rehabilitation and improvement of the Property, are approved.

6. That the Executive Director of the Agency, or designee, is authorized, on behalf of the Agency, to execute the Loan Agreement, together with such non-substantive changes and amendments as may be approved by the Agency Executive Director and Agency Special Counsel. A copy of the Loan Agreement, when executed by the Agency, shall be placed on file in the office of the secretary of the Agency as Document No. D- 04354

7. That the Executive Director of the Agency, or designee, is authorized, on behalf of the Agency, to sign all documents necessary and appropriate to carry out and implement the Loan Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Loan Agreement.

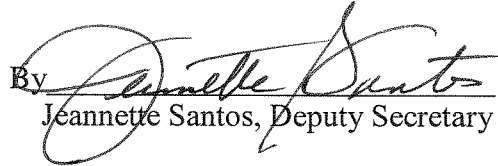
APPROVED: MICHAEL J. AGUIRRE, General Counsel

By 
Alex W. Sachs
Deputy General Counsel

AWS:mm
12/01/08
Or.Dept: Redev. Agency
RA-2009-54
MMS#7124

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of DEC 0 2 2008.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 12-15-08
(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 2900405

ORIGINATING

DEPT. NO.: 9975

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: _____

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: \$475,000.00

Vendor: Urban Corps of San Diego

Purpose: To provide funds to the vendor in the form of two loan agreements so that the vendor can perform improvements to its headquarters located at 3167 Jefferson Street within the North Bay Redevelopment Project Area. These loans are a \$225,000 residual receipts loan and \$250,000 forgivable loan.

Date: November 19, 2008 By: Francisco J Lopez

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
01	0	98200	9823	4005	4881	010297					731,500.00
TOTAL											\$731,500.00

FUND OVERRIDE

AC 2900405

Passed by the Redevelopment Agency of The City of San Diego on DEC 02 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

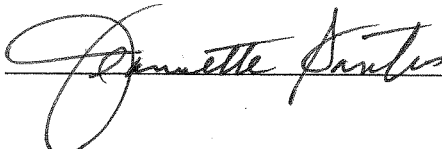
Date of final passage DEC 15 2008

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-04354