

KA Items # 4  
Items 1, 2, 3, 4, 5, 6 RA notes  
(RA-2009-84) 4/29/09  
(COR.COPY)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04387

DATE OF FINAL PASSAGE MAY 04 2009

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO (i) AUTHORIZING THE CENTRE CITY DEVELOPMENT CORPORATION, ON BEHALF OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, TO ADVERTISE AND RECEIVE BIDS AND TO AWARD AND ADMINISTER A CONTRACT FOR THE LITTLE ITALY PUBLIC IMPROVEMENTS [IMPROVEMENTS] FROM WEST LAUREL, CALIFORNIA, ASH AND UNION STREETS AND INTERSTATE 5 IN THE LITTLE ITALY REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT; AND (ii) MAKING CERTAIN FINDINGS FOR THE EXPENDITURE OF REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO FUNDS FOR THE DESIGN AND CONSTRUCTION OF THE IMPROVEMENTS IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTION 33445.

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

WHEREAS, the Centre City Development Corporation [Corporation] is responsible for implementing redevelopment projects in the Project Area; and

WHEREAS, in order to implement the Redevelopment Plan, the Agency previously approved the Implementation Plan for the period of July 2004 – June 2009 for the Centre City and Horton Plaza Redevelopment Projects [Implementation Plan]; and

WHEREAS, the Implementation Plan identifies the need to eliminate blight and remove public safety hazards by providing quality public-surface improvements, and improving surface improvements to the current City standards within the Project Area; and

WHEREAS, the proposed Improvements consist of removal and replacement of damaged sidewalks, driveways, parkways, curbs, gutters, non-ADA compliant pedestrian ramps, and utility boxes, and installation of missing street trees per the Centre City Streetscape Manual; and

WHEREAS, all of the concrete surface improvements that are being replaced are in broken and poor condition and some of the sidewalks are over 50 years old; and

WHEREAS, all of the historic sidewalk stamps and survey monuments within the work limits will be preserved and pedestrian ramps adjacent to the work limits that do not meet ADA standards will be replaced to the current standard; and

WHEREAS, funds in the amount of \$1,154,303 are available in the Agency's Fiscal Year 2009 Little Italy District Budget to pay for the cost of design and construction of the Improvements; and

WHEREAS, the Agency now proposes to administer and manage the design and construction of the Improvements, by and through the Corporation, and to contribute up to \$1,154,303 from the Project Area's tax increment funds to pay for the cost of design and construction of the Improvements to be constructed within the Project Area; and

WHEREAS, the Agency desires to pay for the cost of the design and construction of the Improvements, and the City presently has insufficient funding for said Improvements; and

WHEREAS, the Agency has duly considered the actions described above and the proposed Agency financial contribution for the design and construction of the Improvements and finds that the actions and the payment by the Agency of all or part of the costs of said Improvements are of primary benefit to the Project Area and are in the best interests of the Project Area, the City and the safety, morals, and welfare of its residents, and in accord with the

public purposes and provisions of applicable state and local law requirements; NOW,  
THEREFORE,

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

1. That the Agency authorizes the Centre City Development Corporation, on behalf of the Agency, to advertise and receive bids for the design and construction of the proposed Little Italy Public Improvements [Improvements] from West Laurel, California, Ash and Union streets, and Interstate 5 in the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project Area [Project Area].

2. That the Agency authorizes the Agency's Executive Director or designee to award the construction contract to the lowest responsible bidder for the design and construction of the Improvements, provided that the bids are within the established budget of \$1,154,303, that the construction contract shall not exceed \$1,154,303, and that all other requirements are met.

3. That the Agency authorizes the Agency's Executive Director or designee to execute the construction contract with the lowest responsible bidder for the design and construction of the Improvements.

4. That the Agency authorizes the Corporation, on behalf of the Agency, to administer the construction contract for the design and construction of the Improvements.

5. That the Agency finds and determines:

(a) That the design and construction of the Improvements from West Laurel, California, Ash and Union streets, and Interstate 5 in the Little Italy Redevelopment District of the Expansion Sub Area of the Project Area for which the Agency proposes to pay the cost of using Agency funds from the Project Area are of benefit to the Project Area and the immediate

neighborhood in which the Project Area is located as further described in Section I of the Special Findings attached as Attachment B to the staff report to the Agency identified as Report No. CCDC-09-12;

(b) That no other reasonable means of financing the Improvements is available to the community as further described in Section II of the Special Findings attached as Attachment B to the staff report to the Agency identified as Report No. CCDC-09-12;

(c) That the payment of Agency funds for the cost of design and construction of the Improvements will assist in the elimination of blighting conditions within the Project Area as further described in Section III of the Special Findings attached as Attachment B to the staff report to the Agency identified as Report No. CCDC-09-12;

(d) That the Improvements are consistent with the Implementation Plan adopted for the Project Area pursuant to California Health and Safety Code Section 33490 as further described in Section IV of the Special Findings attached as Attachment B to the staff report to the Agency identified as Report No. CCDC-09-12; and

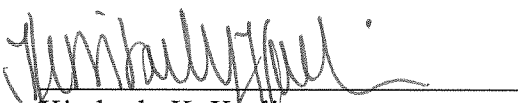
(e) All of the findings set forth herein above are more fully described in the Findings of Benefit attached as Attachment B to the staff report to the Agency identified as Report No. CCDC-09-12, and incorporated herein by this reference.

6. That the Agency finds and determines that this activity is categorically exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15301, Existing Facilities, Class 1 (c); that this activity does not fall within any of the classes of projects for which a categorical exemption may not be applied (Cal. Pub. Resources Code Section 21084); that this activity triggers none of the exceptions to the application of a categorical exemption set forth in CEQA Guidelines Section 15300.2; and that the application of

the categorical exemption set forth under CEQA Guidelines Section 15301, Existing Facilities, Class 1 (c), is appropriate for this activity.

7. That the Agency finds and determines that this activity is statutorily exempt from CEQA pursuant to State CEQA Guidelines Section 15282(k) as set forth in California Public Resources Code Section 21080.21.


APPROVED: JAN I. GOLDSMITH, General Counsel

By   
Kimberly K. Kaelin  
Deputy General Counsel

KKK:nda  
03/13/09  
04/02/09 Cor.Copy  
Or.Dept:CCDC  
RA-2009-84  
MMS#7809  
Comp. R-2009-957

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of APR 28 2009.

REDEVELOPMENT AGENCY

By   
Jeannette Santos, Deputy Secretary

Approved: 5-4-09  
(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**  
ORIGINATING

AC 2900677  
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: Francisco Lopez  
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

**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: \$1,154,303.00

Vendor: TBD

Purpose: Request for bid for construction contract for Little Italy Public Improvements.

Date: March 26, 2009 By: Francisco Lopez  
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	98820	974583	2009	6030	990145				\$1,154,303.00
TOTAL AMOUNT										\$1,154,303.00

FUND OVERRIDE

Passed by the Redevelopment Agency of The City of San Diego on APR 28 2009, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<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"/>
Carl DeMaio	<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"/>
Marti Emerald	<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 04 2009

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- 04387