

SP RA # 2/28/11
(RA-2011-76) RA # 3
Items 143

REDEVELOPMENT AGENCY OF THE
CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04615

DATE OF FINAL PASSAGE FEB 28 2011

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, AS RESPONSIBLE AGENCY, CERTIFYING THAT IT HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN CERTAIN ENVIRONMENTAL REVIEW DOCUMENTS FOR THE NORTH EMBARCADERO VISIONARY PLAN PROJECT, ADOPTING CERTAIN FINDINGS OF FACT, AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM.

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 Centre City Redevelopment Project Area (Project Area); and

WHEREAS, the Centre City Development Corporation, Inc. (CCDC) is responsible for implementing redevelopment projects in the Project Area; and

WHEREAS, the Agency, acting through CCDC, the City of San Diego (City), and the San Diego Unified Port District (Port) entered into a Joint Exercise of Powers Agreement (JPA Agreement) dated April 9, 2007, which established the North Embarcadero Alliance Joint Powers Authority (JPA) with the power to direct work as necessary to facilitate the completion of design, construction and development of a financing and phase plan necessary to implement the North Embarcadero Visionary Plan (NEVP); and

WHEREAS, the Agency, acting through CCDC, the City, and the Port now propose to enter into that certain First Amendment (First Amendment) to the JPA Agreement in order to memorialize the construction and maintenance funding arrangements between the City, the Port, and the Agency, acting through CCDC, for certain NEVP Phase I improvements in the Project

Area, which include improvements to West Broadway, extension of the Esplanade improvements south to the former Navy Pier 11A, and inclusion of the Setback Park/Plaza, an approximately two-acre public park/plaza to be designed and constructed within a 150-foot setback from North Harbor Drive along the Lane Field development between West Broadway and B Street (collectively, Phase I Improvements); and

WHEREAS, the First Amendment provides that the Port will be solely responsible for the administration of construction the Phase I Improvements, except that design and construction of Setback Park/Plaza is the primary responsibility of the adjacent Lane Field development; and

WHEREAS, the First Amendment provides that the Port and the Agency shall equally share the total cost of construction of the Phase I Improvements, provided that the Agency will advance the construction costs and the Port will receive certain credits for previous capital contributions and offsets for the Port's assumption of maintenance responsibility for the Phase I Improvements; and

WHEREAS, the First Amendment provides that the Agency will contribute additional funding for the design and construction of the Broadway Pier surface improvements; and

WHEREAS, the Port, acting as the lead agency for purposes of the California Environmental Quality Act (CEQA), set forth at California Public Resources Code Section 21000 et seq., and the State CEQA Guidelines (CEQA Guidelines), set forth at California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq., prepared and certified the Final Master Environmental Impact Report (Final MEIR) for NEVP by Port Resolution 2000-82 adopted effective April 25, 2000, which analyzes the NEVP improvements along with the area covered by the NEVP Phase 1 Project; and

WHEREAS, the Port prepared and approved subsequent addenda to the Final MEIR for subsequent projects, including the Broadway Cruise Ship Terminal in 2007 (2007 Addendum) and the Lane Field Development Project in 2008 (2008 Addendum); and

WHEREAS, in December 2010, after intervening changes to the NEVP Phase I Project, the Port prepared and approved another addendum to the Final MEIR (2010 Addendum) for the NEVP Phase 1 Project; and

WHEREAS, pursuant to Resolution 2011-08 adopted effective January 11, 2011, the Port made findings to the effect that the NEVP Phase 1 Project is within the scope of the Final MEIR, that no new significant environmental impacts would occur, that the mitigation measures identified in the Final MEIR are applicable and address all potential impacts of the proposed NEVP Phase 1 Project and no additional mitigation measures or alternatives are required, and that no additional environmental review is required; NOW, THEREFORE,

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

1. That the Agency, acting as a responsible agency under CEQA, hereby certifies that the information contained in the Final MEIR, the 2007 Addendum, the 2008 Addendum and the 2010 Addendum has been reviewed and considered by the members of the Agency, that each and all of the findings and determinations contained in this Resolution are based on substantial evidence in the record, and that such findings and determinations reflect the independent judgment and analysis of the Agency; copies of the Final MEIR, the 2007 Addendum, the 2008 Addendum and the 2010 Addendum are on file in the office of the City Clerk as Document Nos.

RR-306638-1, RR-306638-2, RR-306638-3 and RR-306638-4, respectively.

2. That the Agency, pursuant to CEQA Guidelines Sections 15091 and 15096, hereby adopts the Findings of Fact made in connection with the Final MEIR, as contained in

Exhibit A of Port Resolution 2000-82, and specifically including the findings set forth in Section 4.1 thereof (entitled North Embarcadero Visionary Plan) and Section 5.2 thereof (entitled Cumulative Significant Effects); a copy of Port Resolution 2000-82, containing the Findings of Fact, is on file in the office of the Agency Secretary as Document No. D-04615a

3. That the Agency, pursuant to CEQA Guidelines Section 15096, hereby adopts the Mitigation Monitoring and Reporting Program (MMRP), prepared in connection with the Final MEIR and the 2010 Addendum, to monitor and ensure that the mitigation measures identified will be instituted; a copy of the MMRP, which is contained within the 2010 Addendum, is on file in the office of the Agency Secretary as Document No. D-04615b.

4. That the City Clerk, or designee, is hereby authorized and directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego, stating that the Agency, in its capacity as a responsible agency under CEQA, has reviewed and considered the information contained in the Final MEIR, the 2007 Addendum, the 2008 Addendum and the 2010 Addendum.

APPROVED: JAN I. GOLDSMITH, General Counsel

By Kevin Reisch
Kevin Reisch
Deputy General Counsel

KR:nja
02/10/2011
Or.Dept:CCDC
RA-2011-76
PL#2011-05547
Comp. R-2011-693
R-2011-694
R-2011-695
RA-2011-74
RA-2011-75

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of FEB 28 2011

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 2-28-11
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on FEB 28 2011, 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"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 28 2011

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 *Janette Panto*, Deputy

Office of the Redevelopment Agency, San Diego, California
04615
Resolution Number R-_____