

(RA-93-1)
REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. 2115
ADOPTED ON JULY 21, 1992

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING PAYMENTS TO THE SAN DIEGO COUNTY OFFICE OF EDUCATION TO ALLEVIATE FINANCIAL BURDEN OR DETRIMENT OF THE PROPOSED CITY HEIGHTS REDEVELOPMENT PROJECT; MAKING CERTAIN FINDINGS REGARDING SUCH PAYMENTS AND BURDEN OR DETRIMENT; AND APPROVING THE AGREEMENT FOR COOPERATION PERTAINING THERETO.

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") is considering the adoption of the Redevelopment Plan for the City Heights Redevelopment Project (the "Project") to implement a program under the California Community Redevelopment Law (Health and Safety Code section 33000 et seq.) for the redevelopment, replanning and redesign of certain blighted areas within the City of San Diego with stagnant, improperly utilized and unproductive land (the "Project Area"), and requiring redevelopment in the interest of the health, safety and general welfare of the people of the City of San Diego; and

WHEREAS, the San Diego County Office of Education (the "Office") is an affected taxing entity which provides educational services and operates and maintains public educational facilities which are of primary benefit to the Agency's Project Area; and

WHEREAS, the California Community Redevelopment Law authorizes redevelopment agencies to: (1) pay to any taxing agency with territory located within a project area other than the community which has adopted the project, any amounts of money which in the Agency's determination are appropriate to alleviate any financial burden or detriment caused to any taxing agency by a redevelopment project, and (2) expend monies to cure blight, including building and improving public educational facilities; and

WHEREAS, the Agency and the Office have previously submitted to

each other their data and findings regarding the Project's possible future financial impacts and the Agency has determined that the Project could cause financial burden or detriment as defined by Section 33032 of the California Community Redevelopment Law to the Office; and

WHEREAS, the Agency has proposed to the Office that the Agency and Office enter into the Agreement for Cooperation between the Redevelopment Agency of The City of San Diego and the San Diego County Office of Education (City Heights Redevelopment Project), the "COE Agreement for Cooperation," in the form of agreement on file in the office of the Secretary to the Agency as Document No. 1904, to provide mutual aid and assistance in the redevelopment of the Project Area, and to provide for the payment of money to the Office for the installation, construction, reconstruction, rehabilitation, movement of portables and classrooms, provision of equipment and apparatus, and maintenance of public educational facilities, and for the provision of educational programs, in order to facilitate redevelopment within the City of San Diego and to further provide for the cooperation of the Agency and the Office in carrying out redevelopment activities and otherwise alleviate financial burden or detriment caused to the Office by the Project; and

WHEREAS, the Agency recognizes the need to provide adequate public educational facilities and programs to serve the Project and has determined that such facilities are of primary benefit to the Project and the area in which the Project is located; and

WHEREAS, the Agency believes that it would be appropriate to alleviate financial burden or detriment caused to the Office by the Project by paying to the Office money to be used for the installation, construction, reconstruction, rehabilitation, movement of portables and classrooms, provision of equipment and apparatus, and maintenance of public educational facilities, and the provision of educational programs, which are of primary benefit to the Project and by otherwise assisting in the financing of the Office's facilities and programs which may be required by the Agency's Project; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed payment of monies to the Office to alleviate financial burden or detriment caused to the Office by the Project, and the proposed COE Agreement for Cooperation pertaining thereto, and believes that the payment of such monies pursuant to the proposed COE Agreement for Cooperation is in the best interests of the 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 law and requirements; NOW, THEREFORE,

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

1. The Agency hereby approves the payment to the Office of monies which are necessary and appropriate to alleviate financial burden or detriment caused to the Office by the Project, in the amounts set

forth in the COE Agreement for Cooperation.

2. The COE Agreement for Cooperation which establishes the terms and conditions for the payment of such monies is hereby approved.

3. The Agency hereby finds and determines, based upon the information contained in Attachment A (attached hereto and incorporated herein by this reference), that the Project will cause a financial burden or detriment to the Office, and that the payments referred to in Paragraph 1 above are necessary to alleviate the financial burden or detriment.

4. The Executive Director of the Agency, or his designee, is hereby authorized and directed to execute the COE Agreement for Cooperation on behalf of the Agency, provided that the City Council has first adopted the ordinance approving and adopting the Redevelopment Plan for the City Heights Redevelopment Project, and provided further that the Office has first approved and executed the COE Agreement for Cooperation. A copy of the COE Agreement for Cooperation, when executed by the Agency, shall be placed on file in the office of the Secretary to the Agency as Document No. 1904.

5. The Executive Director of the Agency, or his designee, is hereby authorized, on behalf of the Agency, to sign all documents and take all actions necessary and appropriate to carry out and implement the COE Agreement for Cooperation and to administer the Agency's obligations, responsibilities and duties to be performed under said COE Agreement for Cooperation.

BE IT FURTHER RESOLVED, that Redevelopment Agency Resolution No. 2073, adopted April 28, 1992, be and it is hereby rescinded.

APPROVED: JOHN W. WITT, General Counsel

By

Allisyn L. Thomas

Deputy Counsel

ALT:lc

07/14/92

Or.Dept:Mgr.

RA-93-1

Form=ra.t