

(RA-95-3)  
REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NO. 2408  
ADOPTED ON AUGUST 2, 1994

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE ADDITIONAL PAYMENTS BY THE AGENCY FOR ALL OR PART OF THE COST OF THE INSTALLATION AND CONSTRUCTION OF THE DOWNTOWN COURT/OFFICE BUILDING TO BENEFIT THE CENTRE CITY REDEVELOPMENT PROJECT AREA AND ITS IMMEDIATE NEIGHBORHOOD; APPROVING THE SECOND IMPLEMENTATION AGREEMENT TO COOPERATION AGREEMENT PERTAINING THERETO; AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE PAYMENTS FOR THE DOWNTOWN COURT/OFFICE BUILDING.

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project (the "Project"); and

WHEREAS, in order to carry out and implement the Redevelopment Plan the Agency has heretofore agreed to pay for all or part of the cost of the installation and construction of a certain publicly-owned Downtown Court/Office Building to benefit the Project area and its immediate neighborhood pursuant to a First Implementation Agreement to Cooperation Agreement (the "First Implementation Agreement") between the Agency and the County of San Diego (the "County"); and

WHEREAS, the Agency has previously prepared, and the Agency by Resolution No. 2081 and the Council of The City of San Diego (the "Council") by Resolution No. R-279875 have certified the Final Master Environmental Impact Report for the Centre City Redevelopment Project (referred to herein as the "MEIR"); and

WHEREAS, the development of the Downtown Court/Office Building on the real property pursuant to the provisions of the First Implementation Agreement between the Agency and County is a redevelopment

implementation activity whose environmental impacts are assessed in the MEIR; and

WHEREAS, the Centre City Development Corporation, acting on behalf of the Agency, previously prepared a Secondary Study in accordance with and pursuant to the California Environmental Quality Act of 1970 (CEQA) and State and local regulations and guidelines adopted pursuant thereto, and the Secondary Study assesses the environmental impacts of the development of the real property pursuant to the First Implementation Agreement; and

WHEREAS, based upon the Secondary Study, and the MEIR, the Agency found and determined in connection with its consideration of the First Implementation Agreement, that:

1. No substantial changes are proposed in the Centre City Redevelopment Project, or with respect to the circumstances under which the Project is to be undertaken, as a result of the development of the real property pursuant to the First Implementation Agreement, which will require important revisions in the MEIR for the Project, due to the involvement of new significant environmental impacts not covered in the MEIR; and

2. No new information of substantial importance to the Project has become available which was not known or could not have been known at the time the MEIR for the Project was certified as complete, and which shows that the Project will have any significant effects not discussed previously in the MEIR, or that any significant effects previously examined will be substantially more severe than shown in the MEIR, or that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the Project on the environment; and

3. No negative declaration, or subsequent environmental impact report, or supplement or addendum to the MEIR is necessary or required; and

4. The development of the real property pursuant to the First Implementation Agreement will have no significant effect on the environment, except as identified and considered in the MEIR for the Project.

WHEREAS, in order to further carry out and implement the Redevelopment Plan, the Agency proposes to pay additional amounts toward the cost of the installation and construction of the Downtown Court/Office Building to benefit the Project area and its immediate neighborhood pursuant to a Second Implementation Agreement to Cooperation Agreement (the "Second Implementation Agreement") between the Agency and the County; and

WHEREAS, Centre City Development Corporation, Inc., has reviewed and discussed the proposed Second Implementation Agreement and has recommended that the Council consent to and the Agency enter into the Second Implementation Agreement; and

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety Code section 33000 et seq.), the Agency and the Council held a joint public hearing on the proposed additional payments by the Agency toward the cost of the Downtown Court/Office Building pursuant to such Second Implementation Agreement, having duly published notice of the public hearing and made copies of the proposed Second Implementation Agreement and other reports and documents available for public inspection and comment; and

WHEREAS, pursuant to the California Community Redevelopment Law the Agency has considered the information regarding the benefit of the Downtown Court/Office Building to the Centre City Redevelopment Project area and its immediate neighborhood, including the information contained in Attachment No. 1 hereto; and has also considered the information regarding the availability of other means of financing the Downtown Court/Office Building available to the community, including the information contained in Attachment No. 2 hereto; and has also considered the information regarding how the additional payments will assist in eliminating blighting conditions in the Project area, including the information contained in Attachment No. 3 hereto; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed additional payments as set forth in the Second Implementation Agreement, and believes that the additional payments by the Agency toward the cost of the Downtown Court/Office Building are in the best interest 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. That the Agency recognizes that it has received and heard all oral and written objections to the proposed additional payments by the Agency toward the cost of the installation and construction of the Downtown Court/Office Building, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

2. That the Agency hereby finds and determines that the Downtown Court/office Building for which the Agency proposes to pay under the Second Implementation Agreement is of benefit to the Centre City Redevelopment Project area and the immediate neighborhood in which the Project area is located, as described in Attachment No. 1. The Agency hereby further finds and determines that no other reasonable means of financing the Downtown Court/Office Building for which the Agency proposes to pay under the Second Implementation Agreement are available to the community, as described in Attachment No. 2. The Agency hereby further finds and determines that the payment of funds toward the cost of the Downtown Court/Office Building as provided for in the Second Implementation Agreement will assist in the elimination of

one or more blighting conditions inside the Project area, as described in Attachment No. 3.

3. The payment by the Agency of additional amounts toward the cost of the Downtown Court/Office Building, and the Second Implementation Agreement pertaining thereto, are hereby approved.

4. That the Executive Director of the Agency, or designee, is hereby authorized to execute for and on behalf of the Agency the Second Implementation Agreement. A copy of the Second Implementation Agreement is on file in the office of the Secretary to the Agency as Document No. 2161.

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

APPROVED: JOHN W. WITT, General Counsel

By

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Deputy Counsel

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