

(R-93-1357)

RESOLUTION NUMBER R- 281677

ADOPTED ON MAR 23 1993

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CONSENTING TO THE PAYMENT BY THE AGENCY FOR ALL OR PART OF THE VALUE OF THE LAND FOR AND THE COST OF THE INSTALLATION AND CONSTRUCTION OF CERTAIN PUBLIC RESTROOM FACILITIES TO BENEFIT THE CENTRE CITY REDEVELOPMENT PROJECT AREA AND ITS IMMEDIATE NEIGHBORHOOD; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SUCH PAYMENT FOR THE PUBLIC RESTROOM FACILITIES.

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 such Redevelopment Plan the Agency proposes to pay for all or part of the value of the land for and the cost of the installation and construction of certain public restroom facilities to benefit the Project area and its immediate neighborhood pursuant to an Owner Participation Agreement (the "Agreement") between the Agency and the AFJR Partnership in the form on file in the office of the City Clerk as Document No. RR- 281676 ; and

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety Code section 33000 et seq.) this Council has considered the information regarding the benefit of the public restroom facilities 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 public restroom facilities available to the community, including the information contained in Attachment No. 2 hereto; and

WHEREAS, the Council has duly considered all terms and conditions of the proposed payment as set forth in the Agreement, and believes that the payment by the Agency of all or part of the value of the land for and the cost of the installation and construction of the public restroom facilities 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 Council of The City of San Diego, as follows:

1. That the Council recognizes that it has received and heard all oral and written objections to the proposed payment by the Agency for all or part of the value of the land for and the cost of the installation and construction of the public restroom facilities, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

2. That the Council hereby finds and determines that the public restroom facilities for which the Agency proposes to pay under the Agreement are 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 Council hereby further finds and determines that no other reasonable means of financing the public restroom


facilities for which the Agency proposes to pay under the Agreement are available to the community, as described in Attachment No. 2.

3. That the Council hereby consents to the payment by the Agency for all or part of the value of the land for and the cost of the installation and construction of the public restroom facilities as described in the Agreement.

4. That the Council hereby authorizes the City Clerk to deliver a copy of this resolution to the Executive Director and members of the Agency.

APPROVED: JOHN W. WITT, City Attorney

By



Allisyn L. Thomas
Deputy City Attorney

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02/26/93
Or.Dept:CCDC
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ATTACHMENT NO. 1

BENEFIT OF THE PUBIC RESTROOM FACILITIES

The public restroom facilities for which the Redevelopment Agency proposes to pay will benefit the Centre City Redevelopment Project area and the immediate neighborhood in which the Project area is located in that:

- A. In 1991 the City Council adopted a Centre City Public Restroom Plan to increase the number of public restrooms, to identify where such restrooms should be located and whether or not restrooms at certain locations should be attended. The proposed restroom at 170 Sixth Avenue implements the adopted Plan for the location at Fifth and L Street.
- B. The proposed restroom facility will adjoin Fifth Avenue which is the principal street in the Gaslamp Quarter Sub Area and can be incorporated into the design of King Promenade, now under construction. King Promenade is expected to become a visitor destination for both residents and visitors of the City.
- C. The restroom will also serve a homeless population who may not otherwise have access to restroom facilities. As such, the restroom will mitigate the use of private property and the public right-of-way for personal reasons.
- D. Restrooms are common facilities within parks throughout the City and are viewed as a necessary convenience to insure the enjoyment of the park area.
- E. To ensure ongoing upkeep and safety, the construction of the restroom facilities is contingent on the City of San Diego agreeing to enter into a 99-year lease to maintain and attend the restrooms.

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ATTACHMENT NO. 2

NO OTHER REASONABLE MEANS OF FINANCING

There are no other reasonable means available to the community for financing the public restroom facilities for which the Agency proposes to pay in that:

- A. For the Fiscal Year 1992 and 1994 budgets, the City of San Diego has made, and will make, a number of budgetary reductions in order to finance immediate operating and capital needs. A number of capital projects remain unfunded due to limited funds.
- B. The City's capital improvement budget is funded primarily with developer's proceeds, enterprise funds revenues, and Transnet funds. The FY 1993 revised Capital Improvement Program Budget decreased 30.3% from the FY 1992 Budget.
- C. State legislation, which diverted \$12 million in property tax revenues from the City, and the continued effects of the sluggish economic recovery during FY 1993 has resulted in a revenue shortfall in the \$18 - \$20 million range. It is estimated that the State will divert \$27 million in property tax revenues in FY 1994.

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CORRECTED COPY

(b) (1)

Passed and adopted by the Council of The City of San Diego on
by the following vote:

MAR 23 1993

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Linda Sugano*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-281677* Adopted **MAR 23 1993**

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CITY CLERKS OFFICE
SAN DIEGO, CA