

RESOLUTION NUMBER R-295470

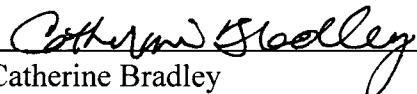
ADOPTED ON 9/18/01

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized and empowered to execute, for and on behalf of said City, an agreement with one of the firms on its Construction Litigation list, in an amount not to exceed \$500,000, for professional services related to mediation and/or litigation support on the Water Department Central Operations Facility.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to expend an amount not to exceed \$500,000 from Water Fund 41500, Account 4141, for the purpose of executing an agreement with the selected firm and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for such expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By 
Catherine Bradley
Deputy City Attorney

CB:vl
09/25/01
Or.Dept:Water/CityAtty
Aud.Cert: 2200303
R-2002-413

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2200303
ORIGINATING DEPT. NO.: 760

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.

\$ 500,000.00 Fund 41500

Purpose Authorizing the expenditure of funds to execute an agreement for professional services related to mediation and/or litigation support for the Water Department Central Operations Facility.

(CIP 73-338.0)

Date September 17, 2001

By: *Robcky Weber*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	41500	760	391020	4278	185751				\$500,000.00
TOTAL AMOUNT										\$500,000.00

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 \$ _____

Vendor _____

Purpose _____

Date _____

By: _____

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

R 295470

SEP 18 2001 AC

2200303

(R-2002-334)

RESOLUTION NUMBER R- 295467

ADOPTED ON SEP 18 2001

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO MAKING CERTAIN FINDINGS WITH RESPECT TO THE PAYMENTS FOR CONSTRUCTION OF STREET LIGHT IMPROVEMENTS FOR THE EAST VILLAGE REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT.

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 East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project [Project]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency proposes to pay for all or part of the construction of these Streetlight Improvements; and

WHEREAS, Centre City Development Corporation [Corporation] has reviewed and recommends that the Council of the City of San Diego [Council] consent to and Agency authorize the Corporation to bid and construct these improvements in the East Village Redevelopment District; and

WHEREAS, the Council has duly considered all conditions of the proposed payment for improvements and believes that the payment by the Agency of all or part of the cost of the installation and construction of improvements by the Agency, is in the best interest of the City

and health, 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 Council of the City of San Diego as follows:

1. That it finds that the construction of the Public Streetlight Improvements in the East Village Redevelopment District for which the Agency proposes to pay for, is of benefit to the Centre City Redevelopment Project, that it finds and determines that no other reasonable means of financing the proposed improvements for which the Agency proposes to pay are available to the community, that it finds and determines that proposed improvements will assist in eliminating one or more blighting conditions inside the Project area, all as described in Attachment 1, attached hereto.

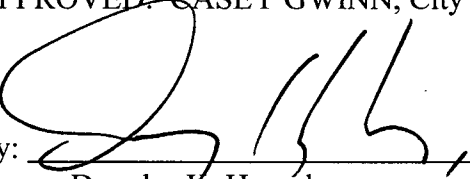
2. That it finds and determines that the construction of the streetlight improvements is consistent with the Implementation Plan adopted for the Project by the Agency on June 21, 1004, as Document No. 2141, pursuant to California Health and Safety Code section 3349, as described in Attachment 1, attached hereto.

3. That it consents to the payment by the Agency for all of the cost of the improvements identified above.

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

5. That the total amount for the contract and agreement shall not exceed
\$1,415,000.00.

APPROVED: CASEY GWINN, City Attorney

By: 
Douglas K. Humphreys
Deputy City Attorney

DKH:ai
08/24/01
Or.Dept:CCDC
Aud.Cert: n/a
R-2002-334
Redv: RA-2002-24
Form=r&t.frm

ATTACHMENT NO. 1
FINDINGS

SUBJECT IMPROVEMENTS:

REQUEST TO BID AND CONSTRUCT CENTRE CITY EAST STREET LIGHTS PHASE V - EAST VILLAGE REDEVELOPMENT DISTRICT OF THE CENTRE CITY REDEVELOPMENT PROJECT

I. FINDINGS OF BENEFIT

The subject improvements for which the Redevelopment Agency of the City of San Diego (Agency) proposes to pay will benefit the Centre City Redevelopment Project or the immediate neighborhood in which the Project area is located in that:

- A. These improvements are within the East Village Redevelopment District of the Centre City Redevelopment Project, adjacent to underdeveloped properties.
- B. Improvements are planned for the 20 blocks bounded by 12th Avenue, "F" Street, 17th Avenue and "C" Street. Also included are street lights on 8th Avenue and 9th Avenue between Market and "E" streets; "E" Street between 7th and 12th avenues; and "F" Street between 9th and 12th avenues. The improvements will enhance these areas for the benefit of nearby users as well as residents.
- C. The installation of public street light improvements will correct adverse health and safety conditions.
- D. The public improvements will act as a catalyst providing an incentive for private investment in the rehabilitation of the areas.

II. NO OTHER REASONABLE MEANS OF FINANCING

There are no other reasonable means available to the community for financing the subject improvements for which the Agency proposes to pay in that:

City of San Diego

- A. The Fiscal Year 2001 Budget for the City of San Diego (City) increased 3.3%. The overall increase resulted from an increase in the General Fund, Enterprise Fund, Debt Service and in the Special Revenue Fund even though there was a decrease in the Capital Improvement Program (CIP). Over the last several years, as the City's CIP has grown and revenues have leveled off, the City has developed phased funding to use available cash and minimize the issuance of bond proceeds. This is a means whereby large

R. 295467

projects may be budgeted and contracted for in an efficient manner that maximizes the City's use of available funds.

- B. The City's capital improvement budget is funded primarily with water and sewer fees, developer impact fees, grant funds, enterprise fund revenues, Facility Benefit Assessment funds, Gas Tax and Transnet funds. The Fiscal Year 2002 Capital Improvement Program Budget decreased 3.9% from the Fiscal Year 2001 Budget. The Fiscal Year 2002 CIP Budget provides for the sewer upgrade of the City's Metropolitan and Municipal Wastewater System, water projects, Parks and Recreation projects, library projects, transportation projects and special projects..
- C. Most major tax revenue categories continue to show signs of growth. Moderate growth is anticipated for most of Fiscal Year 2002 major revenues. The economic growth rate for major revenue categories are property tax (6.0%), sales tax (5%), Transient Occupancy Tax (6%) and Motor Vehicle License fees (5%).
- D. The City's Fiscal Year 2002 Capital Improvements Budget (CIP) is embodied in Volume's IV and V of the City's Budget. The Agency's Fiscal Year 2002 Program Budget was adopted on July 24, 2001. The CIP and the Agency's Budget were developed in accordance with City and Council Policy, and each project activity was evaluated and incorporated in the respective budgets. Projects are funded based on need and the availability of appropriate funding sources. The City's CIP Budget totals \$741.4 million, an increase of \$27.6 million over Fiscal Year 2001.

III. ELIMINATION OF BLIGHTING CONDITIONS

The payment of funds toward the cost of the construction and installation of the subject improvements will assist in the elimination of one or more blighting conditions inside the East Village Redevelopment District of the Centre City Redevelopment Project area and the proposed improvements are consistent with the Implementation Plan adopted for the Project pursuant to Health and Safety Code 33490, in that:

- A. The improvements will enhance the neighborhood and replace inadequate public improvements. The proposed improvements will remove and replace these adverse conditions, upgrading to match the improvements on nearby streets.
- B. The location of streetlight standards will be adjusted and added so as to increase the level of lighting along the public sidewalks and streets.
- C. The improvements will act as a catalyst providing an incentive for private investment, thereby contributing to the removal of economic blight.

- D. The improvements provide safer pedestrian access to public and private properties.
- E. "Completion of off-site improvements in this area is a means to contribute to blight removal by replacing inadequate public improvements" is included in the work program of the Implementation Plan adopted June 21, 1994 pursuant to Health and Safety Code 33490.

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R- 295467