

RESOLUTION NUMBER R- 300358

ADOPTED ON APR 19 2005

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO MAKING CERTAIN DETERMINATIONS AND FINDINGS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33445 AND CONSENTING TO THE AGENCY ASSISTING IN THE FUNDING OF THE CONSTRUCTION OF THE NEW DOWNTOWN MAIN LIBRARY.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to execute and implement the Redevelopment Plan, as amended and supplemented from time to time, for the Centre City Redevelopment Project [Project]; and

WHEREAS, pursuant to Section 33445(a) of the California Community Redevelopment Law (Cal. Health & Safety Code § 33000 *et seq.*) [Redevelopment Law], the Agency may, with the consent of the City Council [City Council] of the City of San Diego [City], pay all or a part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement which is publicly owned either within or outside a project area, if the City Council makes certain determinations; and

WHEREAS, the Agency is considering the use of tax increment from the Project to assist with the funding of a new downtown main library to be located on the block bounded by 11th Avenue, Park Boulevard, "J" Street on the north and Park Boulevard to the South [Library]; and

WHEREAS, the Library will be located within the Project and will be publicly owned;
and

WHEREAS, the Agency has prepared a report pursuant to Redevelopment Law Section 33679 [Report]; and

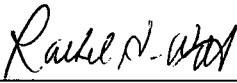
WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred;
NOW, THEREFORE,

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

1. The City Council hereby finds and determines that the foregoing recitals are true and correct.
2. Based on substantial evidence in the record, including, without limitation, the information contained in the Report, the City Council hereby finds and determines that:
 - a. The Library is of benefit to the Project or the immediate neighborhood in which the Library is located;
 - b. No other reasonable means of financing the Library are available to the City; and
 - c. The payment of funds by the Agency for the costs related to the Library will assist in the elimination of one or more blighting conditions within the Project and is consistent with the Project's Five-Year Implementation Plan.
3. That the City Council hereby consents to the Agency assisting in the funding of the construction of the Library.

4. That the City Manager is authorized to take any action and execute any and all documents and agreements necessary to implement this Resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Rachel H. Witt
Deputy City Attorney

RHW:mm
04/04/05
Or.Dept: CCDC
R-2005-1006
MMS#1685
Companion: Agency RA-2005-117

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

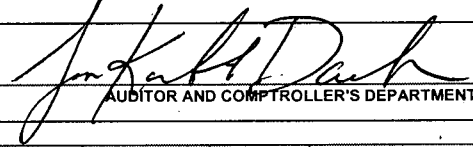
AC 2500883
DEPT. _____
NO. 9960

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.

Amount: \$6,500,000.00 Fund: 98808

Purpose: Authorizing the expenditure of funds to assist the City of San Diego with the construction costs associated with the New Downtown Main Library, CIP 35-082.0.

Date: April 5, 2005

By: 
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
001	0	98808			9544						\$6,500,000.00
TOTAL AMOUNT											\$6,500,000.00

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											

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2500883

R-300358

APR 19 2005