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RESOLUTION NUMBER R- 302785

DATE OF FINAL PASSAGE JUN 29 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO MAKING CERTAIN FINDINGS WITH RESPECT TO THE PAYMENTS FOR CONSTRUCTION OF IMPROVEMENTS FOR THE PARK BOULEVARD AT HARBOR DRIVE PEDESTRIAN BRIDGE PROJECT; AUTHORIZING THE ACCEPTANCE OF ALLOCATED FEDERAL TRANSPORTATION FUNDS DESIGNATED FOR THIS PROJECT; AUTHORIZING THE TRANSFER OF SAID FEDERAL TRANSPORTATION FUNDS TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO IN THE EAST VILLAGE REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT.

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 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 improvements for the Park Boulevard at Harbor Drive Pedestrian Bridge Project in the East Village Redevelopment District; 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 the improvements for the Park Boulevard at Harbor Drive Pedestrian Bridge in the East Village Redevelopment District; and

WHEREAS, the Agency 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 construction of these improvements by the Agency are 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; and

WHEREAS, allocated federal transportation funds have been earmarked for the pedestrian bridge project, and need to be accepted by the Council, and immediately transferred to the Agency; NOW, THEREFORE,

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

1. That the Council accept allocated federal transportation funds from the Federal Highway Administration [FHWA] through the California Department of Transportation [Caltrans].
2. That the Council authorize the transfer of said federal transportation funds for the pedestrian bridge project to the Agency.
3. That the Council finds and determines that the construction of the improvements in the East Village Redevelopment District for which the Agency proposes to pay are of benefit to the Centre City Redevelopment Project area, or the immediate neighborhood in which the pedestrian bridge project is located; that it finds and determines that no other reasonable means for financing the proposed construction is available to the community; and that it finds and determines that the proposed construction will assist in eliminating blighting conditions inside the Project area. These findings are more fully set forth in Attachment A hereto.
4. That the Council finds and determines that the construction of said on-site and off-site improvements are consistent with the Implementation Plan adopted for the Project by the Agency on June 21, 1994, as Document No. 2141, pursuant to California Health and Safety Code section 33490.

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Carol A. Leone
Carol A. Leone
Deputy City Attorney

CAL:cfq
06/05/07
Or.Dept:CCDC
R-2007-1198
MMS#4932
Companion to RA-2007-117

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 26 2007.

ELIZABETH S. MALAND
City Clerk

By Jara Richardson
Deputy City Clerk

Approved: 6-29-07
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

ATTACHMENT A

FINDINGS

SUBJECT IMPROVEMENTS:

REQUEST TO BID THE CONSTRUCTION OF THE PARK BOULEVARD AT HARBOR DRIVE PEDESTRIAN BRIDGE PROJECT – EAST VILLAGE REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT

I. FINDINGS OF BENEFIT

The subject improvements for which the Redevelopment Agency of the City of San Diego (the “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 Expansion Sub Area of the Centre City Redevelopment Project, adjacent to underdeveloped properties and/or properties that have been designated as historic and will not likely be redeveloped in the near future.
- B. The construction of the project on the site located at Park Boulevard at Harbor Drive will occur in the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. The improvements will enhance portions of the above-mentioned redevelopment district for the benefit of nearby users as well as residents.
- C. The installation of public improvements will correct certain 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 adjacent areas.
- E. The Project will create unique “sense of community” areas.
- F. The Project will encourage pedestrian uses.
- G. Revitalizing the above-mentioned redevelopment district by upgrading the public right of way with street furnishings including trees, lights, and enhanced sidewalk paving.

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 2007 Budget for the City of San Diego ("City") increased approximately 0.14% from \$2.552 billion to \$2.556 billion. Over the last several years, as the City's Capital Improvement Program ("CIP") has grown and revenues have leveled off, the City has developed phase funding to use available cash and minimize the issuance of bond proceeds. This is a means whereby large 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 2007 CIP Budget decreased 25% from the Fiscal Year 2006 Budget. The Fiscal Year 2007 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. The Agency's Fiscal Year 2007 Program Budget was adopted on May 31, 2006. 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 \$293.7 million, a decrease of \$95.9 million from Fiscal Year 2006.

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 Expansion Sub Area of the Centre City Redevelopment Project, 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, replace inadequate public improvements, increase traffic circulation in the area, stimulate area activity, and comply with a legal requirement from the California Public Utilities Commission ("CPUC"). The improvements will complete the City's commitment to the community, and remove the on-site blighting conditions which currently exist. The improvements will enhance user safety and access to/from the waterfront and the southeastern part of downtown, and enhance desirability of adjacent land for full-capacity development.

B. The improvements will act as a catalyst providing an incentive for private investment, thereby contributing to the removal of economic blight.

C. "Improvements to existing water and sewer lines, streets, sidewalks, parkways, and lighting in the public right-of-way" as a means to contribute to blight removal is included on page 4 of the work program of the Implementation Plan adopted June 15, 2004 pursuant to Health and Safety Code 33490.

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