

104

(a-h)

RESOLUTION NUMBER R- 303744

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE A CONCESSION AGREEMENT WITH SURF DIVA, INC. FOR THE OPERATION OF SURF CAMPS ON CITY BEACHES.

WHEREAS, in 2002, the community recognized there was a significant impact from surf camp operators on public beaches; and

WHEREAS, the Park & Recreation Department together with Lifeguard Services, designated specific shoreline sites and implemented a permit process for surf camps; and

WHEREAS, to ensure standards of training, professionalism and liability were maintained, the City became involved with the surf camps; and

WHEREAS, in 2004, the Real Estate Assets Department issued a Request for Proposal (RFP) inviting surf camp operators to bid on any number of sites under the terms of the RFP; and

WHEREAS, the City granted three-year agreements to eight operators located on City beaches, including Ocean Beach, Mission Beach, Pacific Beach and La Jolla Shores; and

WHEREAS, the City has received combined rents from the surf concessions averaging \$148,000 per year; and


WHEREAS, the existing agreement expires on May 31, 2008; NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor and/or designee is hereby authorized to execute a new 64-month concession agreement with Surf Diva, Inc., for the operation of Surf Camps on City Beaches, specifically La Jolla Shores sites 1, 2

and 3, under the terms and conditions set forth in the agreement on file in the office of the City Clerk as Document No. RR 303744.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego finds that this activity is not a project and is therefore not subject to from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3).

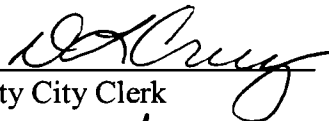
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Kimberly Ann Davies  
Deputy City Attorney

KAD:mm  
05/13/08  
Aud. Cert: N/A  
Or.Dept:Park & Rec  
R-2008-925  
MMS# 6156

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-30-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

RESOLUTION NUMBER R- 303751

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE A CONCESSION AGREEMENT WITH SAN DIEGO SURF SCHOOL FOR THE OPERATION OF SURF CAMPS ON CITY BEACHES.

WHEREAS, in 2002, the community recognized there was a significant impact from surf camp operators on public beaches; and

WHEREAS, the Park & Recreation Department together with Lifeguard Services, designated specific shoreline sites and implemented a permit process for surf camps; and

WHEREAS, to ensure standards of training, professionalism and liability were maintained, the City became involved with the surf camps; and

WHEREAS, in 2004, the Real Estate Assets Department issued a Request for Proposal (RFP) inciting surf camp operators to bid on any number of sites under the terms of the RFP; and

WHEREAS, the City granted three-year agreements to eight operators located on City beaches, including Ocean Beach, Mission Beach, Pacific Beach and La Jolla Shores; and

WHEREAS, the City has received combined rents from the surf concessions averaging \$148,000 per year; and


WHEREAS, the existing agreement expires on May 31, 2008; NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor and/or designee is hereby authorized to execute a new 64-month concession agreement with San Diego Surf School for the operation of Surf Camps on City Beaches, specifically at Beryl Street in

Pacific Beach, under the terms and conditions set forth in the agreement on file in the office of the City Clerk as Document No. RR 303751.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego finds that this activity is not a project and is therefore not subject to from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Kimberly Ann Davies  
Deputy City Attorney

KAD:mm  
05/13/08  
Aud. Cert: N/A  
Or.Dept:Park & Rec  
R-2008-1062  
MMS# 6156

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-30-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

5/27

RESOLUTION NUMBER R- 303762

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO DECLARING A CONTINUED STATE OF  
EMERGENCY DUE TO SEVERE SHORTAGE OF  
AFFORDABLE HOUSING IN THE CITY.

WHEREAS, California Government Code section 8630 authorizes local governing bodies to proclaim local emergencies when such events occur as are defined by California Government Code section 8558(c); and

WHEREAS, on August 6, 2002, the City Council adopted Resolution No. R-296982 declaring the existence of a state of emergency due to severe shortage of affordable housing in the City of San Diego; and

WHEREAS, in adopting Resolution No. R-296982 on August 6, 2002, the Council specifically found, pursuant to the aforementioned California Government Code, that the affordable housing shortage was an emergency "beyond the control of the services, personnel, equipment and facilities" of the City of San Diego alone; and

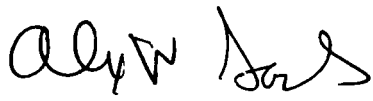
WHEREAS, the Council finds that, despite numerous successful initiatives to preserve and produce affordable housing, such an emergency continues to exist in the City of San Diego;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to California Government Code section 8630, a continued state of emergency is declared to exist due to severe shortage of affordable housing in the City of San Diego.

BE IT FURTHER RESOLVED, that the measures previously taken by the City Council in Resolution No. R-296982 shall continue to have full force and effect.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Alex W. Sachs  
Deputy City Attorney

AWS:mm  
03/27/08  
Or.Dept: Mayor  
R-2008-815  
MMS#6054

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-30-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

RESOLUTION NUMBER R- 303768

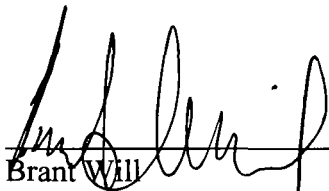
DATE OF FINAL PASSAGE JUN 0 2 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO AMEND THE AGREEMENT WITH MACIAS GINI & O'CONNELL LLP FOR AUDIT SERVICES FOR THE CITY OF SAN DIEGO FISCAL YEAR 2006 AND 2007 FINANCIAL STATEMENTS BY INCREASING THE TOTAL AMOUNT OF THE AGREEMENT NOT TO EXCEED \$1,380,000 AND TRANSFERRING AN AMOUNT UP TO \$979,800 FROM THE APPROPRIATED RESERVE TO PAY FOR THE EXPENDITURES.

BE IT RESOLVED, by the Council of the City of San Diego that the Mayor is hereby authorized and empowered to amend the agreement with Macias Gini & O'Connell LLP [Agreement], for audit services for the City of San Diego fiscal year 2006 and 2007 financial statements to allow for additional expenditures under the Agreement in an amount not to exceed \$1,380,000; and

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is authorized to transfer up to \$979,800 from the Appropriated Reserve, Dept. 601, to the General Fund Citywide Department, Dept. 602, org. 2450, to pay the General Fund portion of the audit expenditures.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
\_\_\_\_\_  
Brant Will  
Chief Deputy City Attorney

BCW:jdf  
05/08/08  
Or.Dept:Finance  
R-2008-1045

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~MAY 27 2008~~.

ELIZABETH S. MALAND  
City Clerk

By *Jana Richards*  
Deputy City Clerk

Approved: 6.2.08  
(date)

*JSL*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor



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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2800679

DEPT

NO

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 \_\_\_\_\_ Fund \_\_\_\_\_

Purpose \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date \_\_\_\_\_ By \_\_\_\_\_

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
<b>TOTAL AMOUNT</b>										

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 \$ 1,380,000

Vendor Macias Gini O'Connell LLP

Purpose Authorizing contracts amendments for fiscal years ending June 30, 2004, 2005 2006 and 2007 for audit services related to the City's Comprehensive Annual Financial reports, Single Audits and the Component unit audits for the City of San Diego

Date March 27, 2008 By *Tracy McCraner*

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	100	602		48818	000602				979,800 00
2		41500	760	163	4151	002093				124,200 00
3		41506	776	455	4151	776260				96,600 00
4		105051	9321	2004	4151	002004				8,280 00
5		10226	918		4151	091811				9,660 00
6		102211	102211	300	4151	000300				9,660 00
7		98805	97481	1002	4151	001002				151,800 00
<b>TOTAL</b>										<b>\$1,380,000 00</b>

AC-361 (REV 2-92)

FUND OVERRIDE

*R* 303768

MAY 27 2008

AC 2800679

RESOLUTION NUMBER R- 3 03780

DATE OF FINAL PASSAGE JUN 0 2 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO MAKING CERTAIN FINDINGS WITH RESPECT TO THE IMPERIAL AVENUE STREETLIGHT INSTALLATION PROJECT AND APPROVING THE TRANSFER OF FUNDS FOR THE CONSTRUCTION OF THE IMPROVEMENTS.

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 Central Imperial Redevelopment Project Area [Project Area]; 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, Agency and City of San Diego [City] desire to cooperate in the construction of public improvements designed to enhance the appearance, functionality, and safety of existing conditions; and

WHEREAS, the City of San Diego will manage the installation of streetlights for the Project within the Project Area; and

WHEREAS, the Agency proposes to contribute up to \$210,000 from Central Imperial Redevelopment funds to assist the City's installation of streetlights within the Project Area, from Fund 98789 to Fund 10239 ; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Implementation Plan for the period of July 2004 – June 2009 for the Central Imperial Redevelopment Project Area has previously been approved; and

WHEREAS, the Implementation Plan identifies the need to improve public safety, deter crime and existing inadequate public improvements; and

WHEREAS, the installation of streetlights [Project] will revitalize the Project Area by upgrading the public right-of-way with additional street lighting; and

WHEREAS, the City Council has determined that the funding of the installation of the streetlights is in the best interests of the City and health, safety, and welfare of its residents, and is in accord with the public purpose and provisions of applicable state and local law and requirements; NOW, THEREFORE,

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

1. That the City Council finds and determines that the installation of streetlights for which the Agency proposes to contribute funding,; is of benefit to the Central Imperial Redevelopment Project Area; that no other reasonable means of financing the Project is available to the community; and that the Project will assist in the elimination of one or more blighting conditions inside the Project Area, and that the Project is consistent with the Implementation Plan adopted pursuant to Community Redevelopment Law, Section 33490 as more fully described in Attachment 1.

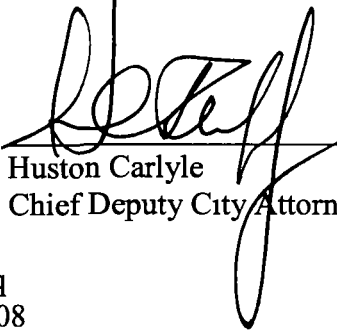
2. That it authorizes the expenditure and transfer of funds in the amount of \$210,000 to the City from the Central Imperial Redevelopment Project Area, Imperial Avenue 61<sup>st</sup> – 69<sup>th</sup> Streets, Fund No. 98789 to CIP Fund No. 61-203.1, Installation of Streetlights – Imperial Avenue from 61<sup>st</sup> to 69<sup>th</sup> Streets, to be used for the purpose of the installation of streetlights within the Central Imperial Redevelopment Project Area.

3. That it authorizes a \$210,000 increase in the Fiscal Year 2008 Capital Improvements Program Budget in CIP 61-203.1, Fund 10239, Installation of Streetlights – Imperial Avenue from 61<sup>st</sup> to 69<sup>th</sup> Streets, and

4. Authorize the appropriation and expenditure of up to \$210,000 from CIP 61-203.1, Fund 10239, Installation of Streetlights - Imperial Avenue from 61<sup>st</sup> to 69<sup>th</sup> Streets for installation of twenty-one streetlights.

5. BE IT FURTHER RESOLVED that this action is categorically exempt from the California Environmental Quality Act [CEQA], pursuant to State CEQA Guidelines section 15301(c) and section 15304(f).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Huston Carlyle  
Chief Deputy City Attorney

HC:cfq  
04/10/08  
Or.Dept:SEDC  
R-2008-892  
Redevelopment: Companion RA-2008-107  
MMS#6122

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~MAY 27 2008~~

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6-2-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Attachment No. 1

**FINDINGS**

SUBJECT IMPROVEMENTS:  
INSTALLATION OF STREETLIGHTS – CENTRAL IMPERIAL REDEVELOPMENT  
PROJECT AREA

I. **FINDINGS OF BENEFIT**

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

- A. These improvements are within the Central Imperial Redevelopment Project Area.
- B. The Project will enhance portions of the Central Imperial Redevelopment Project Area to benefit the residents, visitors and merchants by providing a well-lit street and sidewalk area.
- C. The Project will improve the safety of vehicles and pedestrians for residents and visitors of the area by providing additional lighting along the street.
- D. The Project will meet citywide standards for streetlights in accordance with the city's Mid-Block Street Light Policy for developed areas.

II. **NO OTHER REASONABLE MEANS OF FINANCING**

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

City of San Diego

- A. The City's Capital Improvement Project (CIP) Budget is funded primarily with water and sewer fees, a one-half-cent local sales tax for transportation improvements, development impact fees, State and Federal grants and/or the issuance of bonds. The Fiscal year 2008 CIP Budget supports construction projects such as the development of park land, the construction of sewer pump plants, the acquisition of land for City use, the installation of traffic signals or street lighting systems, and the construction and remodeling of City facilities.

- B. The CIP Budget was developed in accordance with City and Council Policy, and each project activity was evaluated and incorporated in the budget. Projects are funded based on need and the availability of appropriate funding sources for that project. The City's CIP budget for Fiscal Year 2008 totals \$491.6 million, an increase of \$197.9 million from Fiscal Year 2007 primarily due to an increase in water and sewer projects and projects to meet the requirements for the Americans with Disabilities Act (ADA).
- C. Funding from the CIP Budget for this Project is presently unavailable as other priority public infrastructure projects have been allocated for available CIP funds in Fiscal Year 2008.

### III. ELIMINATION OF BLIGHTING CONDITIONS

The payment of Agency funds toward the cost of the Project will assist in the elimination of one or more blighting conditions inside the Central Imperial Redevelopment Project Area in that:

- A. The Project will upgrade deficient public right-of-way space with new lighting which will improve the image of the areas along the street.
- B. The Project will upgrade public infrastructure that does not presently meet City's street lighting standards for transit corridors and commercial districts in developed areas.
- C. The improvements will help eliminate economic blighted conditions in that the neighborhood will be enhanced with crime-deterrent lighting and provide incentive for private investment, improved maintenance and increased consumer activity in the surrounding areas.
- D. The Project will correct and upgrade substandard lighting infrastructure and will minimize pedestrian tripping hazards by providing increased lighting.

### IV. PROJECT IS CONSISTENT WITH IMPLEMENTATION PLAN

The payment of Agency funds toward the cost of the Project is consistent with the Third Implementation Plan for the Central Imperial Redevelopment Project Area (Document No. D-03773), adopted June 25, 2004, pursuant to Health and Safety Code Section 33490 (Implementation Plan), in that:

- A. The Project addresses the Implementation Plan's goals and objectives including:
  - 1. Promote revitalization of the community.
  - ii. Upgrade the physical appearances of commercial and residential areas.
  - iii. Alleviate the lack of public safety along the Project site.

iv. Install public improvements to encourage private investment.

v. Alleviate inadequate public improvements, facilities, and utilities.

B. The Project implements the Imperial Avenue Corridor Master Plan public improvements that are included in the Implementation Plan and, as identified in the Implementation Plan, the installation of the streetlights along Imperial Avenue from 61<sup>st</sup> to 69<sup>th</sup> Streets will contribute to the alleviation of crime/public safety.

5/27

(R-2008-1057)

RESOLUTION NUMBER R- 303781

DATE OF FINAL PASSAGE JUN 0 2 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO MAKING CERTAIN FINDINGS WITH  
RESPECT TO THE INSTALLATION OF CORTEZ HILL  
STREETLIGHTS – PHASE I.

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 Cortez Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project [“Project Area”]; and

WHEREAS, the Centre City Development Corporation [CCDC] is responsible for implementing redevelopment projects in the Project Area; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Implementation Plans for the period of July 2004 - June 2009 for the Centre City and Horton Plaza Redevelopment Projects have previously been approved; and

WHEREAS, the Implementation Plan identifies the need to improve public safety and deter crime by installation of streetlights; and

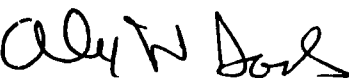
WHEREAS, the City Council has duly considered all conditions of the proposed payment for the construction of the Installation of Cortez Streetlights – Phase I [Project] and believes that the payment by the Agency of all of the cost of the construction is in the best interests of the City and health, safety, morals, and welfare of its residents, and in accord with the public purpose and provisions of applicable state and local law requirements; NOW, THEREFORE,



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

1. That the City Council finds and determines that the construction of the Project for which the Agency proposes to pay is of benefit to the Project Area; and
2. That the City Council finds and determines that no other reasonable means for financing the Project are available to the community and that the Project will assist in eliminating one or more blighting conditions inside the Project Area, and that the Project is consistent with the Centre City and Horton Implementation Plans for July 2004 - 2009, on file in the office of the Secretary to the Agency pursuant to California Health and Safety Code Section 33490, all as described in Attachment B.
3. That the City Council does hereby determine that the Project is categorically exempt from review under the California Environmental Quality Act (CEQA), pursuant to state CEQA Guidelines §15301 (Existing Facilities – Class 1), §15302 (Replacement or Reconstruction – Class 2) and/or §15303 (New Construction or Conversion of Small Structures – Class 3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Alex W. Sachs  
Deputy City Attorney

AWS:mm  
05/12/08  
Or Dept:CCDC  
R-2008-1057  
MMS#6271  
Companion: Agency RA-2008-135

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of MAY 27 2008.

ELIZABETH S. MALAND  
City Clerk

By *Jana Richardson*  
Deputy City Clerk

Approved: 6-2-08  
(date)

*JSL*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

ATTACHMENT NO. B

FINDINGS

SUBJECT IMPROVEMENTS.

REQUEST TO BID THE INSTALLATION OF CORTEZ STREETLIGHTS – PHASE I PROJECT (BOUNDED BY 5TH TO 10TH AVENUES, AND BETWEEN A TO DATE STREETS) – CORTEZ 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 (“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 Cortez 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 installation of 155 streetlights are planned for the area bounded by 5<sup>th</sup> and 10<sup>th</sup> Avenues, between A and Date Streets. The improvements will enhance portions of the above-mentioned redevelopment districts for the benefit of nearby users as well as residents.
- C. The installation of streetlights will correct any 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.
- E. The Project will create unique “sense of community” areas.
- F. The Project will encourage pedestrian use.
- G. Revitalizing the above-mentioned district by upgrading the public right-of-way with street furnishings including trees, streetlights, and other accessories

## 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 2008 Budget for the City of San Diego ("City") increased approximately 12.9% from \$2.556 billion to \$2.886 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. The Fiscal Year 2008 Budget reflects General Fund revenues and expenditures of \$1.1 billion, representing an increase of \$828 million or an 8.1% increase over the Fiscal Year 2007 Budget. The General Fund Budget also includes 7,053 positions, a decrease of 465 positions over the Fiscal Year 2007 Budget.
- 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 2008 CIP Budget totals \$454.6 million, an increase of \$160.9 million from Fiscal Year 2007. The Fiscal Year 2008 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. Despite the increase in the City's CIP Budget, it is estimated that the City's deferred maintenance and capital needs, excluding Water and Sewer, may be at least \$800 to \$900 million.
- C. The Agency's Fiscal Year 2008 Program Budget was adopted on May 15, 2007. 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 lacks funding to provide for certain public improvement projects in the downtown redevelopment areas.

### III. ELIMINATION OF BLIGHTING CONDITIONS

The payment of funds toward the cost of the construction of the subject improvements will assist in the elimination of one or more blighting conditions inside the Cortez Redevelopment Districts 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 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 improvements will act as a catalyst providing an incentive for private investment, thereby contributing to the removal of economic blight.
- C. The location of streetlights standards will be adjusted and added so as to increase the level of lighting along the public sidewalks and streets.
- D. "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.

RESOLUTION NUMBER R- 303782

DATE OF FINAL PASSAGE JUN 0 2 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING A SPECIAL INTEREST-BEARING FUND; ACCEPTING A ONE-TIME PAYMENT FOR THE ESTABLISHMENT OF THE SPECIAL INTEREST-BEARING FUND; AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE USE OF TAX INCREMENT TO FUND THE CLARIEMONT DRIVE MEDIAN IMPROVEMENTS.

WHEREAS, the Council of the City of San Diego [City] implements projects to improve economic and physical conditions in the City of San Diego; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] and City desire to cooperate in the construction of public improvements designed to enhance the appearance, functionality, and safety of existing conditions in the North Bay Redevelopment Project Area [Project Area]; and

WHEREAS, City wishes to establish a special interest-bearing fund for the purpose of maintaining the Clairemont Drive median improvements and authorize yearly appropriations to pay for the maintenance of the median improvements; NOW, THEREFORE,

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

1. That the Council finds and determines: (a) that the Clairemont Drive median improvements are of benefit to the North Bay Redevelopment Project Area; (b) that no other reasonable means for financing is available to the community; (c) that the Project will assist in eliminating one or more blighting conditions in the Project Area; and (d) that the Project is consistent with the Implementation Plan adopted for the Project by the Agency July 29, 2003 on file as Document No. 03664 in the office of the Secretary to the Agency pursuant to California Health and Safety Code Section 33490. These findings are set forth in more detail in Attachment 1 hereto.


2. That the City Auditor and Comptroller are authorized to establish a special interest-bearing fund for the purpose of funding on-going, long-term maintenance of the Clairemont Drive median.

3. That the City Auditor and Comptroller are authorized to accept a one-time payment of \$100,000 from Burgener-Clark, LLC to be deposited in the interest-bearing Fund for the long-term maintenance of the Clairemont Drive median.

4. That the City Auditor and Comptroller are authorized to appropriate and expend up to \$5,000 per fiscal year, adjusted for inflation, from the special interest-bearing fund for maintenance of the Clairemont Drive median, contingent upon the Auditor and Comptroller certifying funds are available.

BE IT FURTHER RESOLVED that this activity is exempt from CEQA pursuant to State CEQA Guidelines Section 15060 (c) (3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Carol A. Leone  
Deputy City Attorney

CAL:cfq  
05/06/08  
Or.Dept:RA  
R-2008-1026  
Redevelopment:Companion RA-2008-133  
MMS#6220

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6-2-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor



**Findings**  
**(Health & Safety Code § 33445)**  
**North Bay Redevelopment Project Area**

SUBJECT IMPROVEMENTS:  
CLAIREMONT DRIVE MEDIAN IMPROVEMENTS

The following findings are for the construction of the Clairemont Drive median improvements in the Clairemont community within the North Bay Redevelopment Project Area.

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 North Bay Redevelopment Project Area in that:

- A. The improvements are within the North Bay Redevelopment Project Area.
- B. The improvements will enhance portions of the North Bay Redevelopment Project Area for the benefit of residents, visitors, and merchants.
- C. The improvements will provide improved traffic mobility and pedestrian safety along a commercial and transit corridor.

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 City’s Capital Improvement Budget is funded with water and sewer fees, a half-cent local sales tax for transportation improvements, development impact fees, State and Federal grants and/or the issuance of bonds. The Fiscal Year 2008 Adopted Capital Improvements Program (CIP) Budget totals \$491.6 million, which is an increase of \$197.9 million from the Fiscal Year 2007 Annual Budget.
- B. Priorities of the City’s CIP budget are to address deferred maintenance projects, which according to the City’s 2009-2013 Five-Year Financial Outlook (January 2008) is estimated to be at least \$800 to \$900 million, excluding Water and Wastewater.

- A. The Agency's Budget was developed in accordance with City and Council Policy, and each project activity was evaluated and incorporated in the respective budgets. The Fiscal Year 2008 Annual Budget for City Redevelopment totals \$128.2 million. Of this amount, \$91.4 million is comprised of new funds with \$36.8 million carrying over from the previous year. The Agency also secured a \$70.0 million three-year line of credit through San Diego National Bank. This line of credit will be drawn upon to cover an estimated \$47.0 million of redevelopment project expenditures during Fiscal Year 2008. Tax increment to be generated in Fiscal Year 2008 in the City Redevelopment areas is estimated to exceed \$39.2 million.
- B. The cost of the Clairemont Drive median improvements in the Clairemont community is approximately \$215,000 (estimate). There are currently no funds allocated in the 2008 CIP Annual Budget to fund this Project. The Redevelopment Agency shall contribute up to \$215,000 of North Bay Redevelopment Project Area tax increment funds to finance these improvements.
- C. Funding from the CIP Budget for this project is presently unavailable as all available CIP funds for this fiscal year have been allocated to other priority public infrastructure projects.
- D. Revenue forecasts for Fiscal Year 2008 suggest that the rate of growth of the City's primary sources of revenue is expected to continue to show growth, though at a slower pace, and is expected to exceed the State and national economic trends from Fiscal Year 2007.

II. ELIMINATION OF BLIGHTING CONDITIONS

The payment of Agency funds toward the cost of the improvements will assist in the elimination of one or more blighting conditions inside the North Bay Redevelopment Project Area in that:

- A. The improvements will help to eliminate physical blighted conditions as the improvements will correct and upgrade substandard and deteriorated infrastructure and will improve traffic mobility and pedestrian safety.
- B. The improvements will upgrade deficient public right-of-way space by the construction of the Clairemont Drive median.
- C. The improvements will upgrade public infrastructure that does not meet City's standards for commercial, business and transit corridors.

- D. The improvements will help eliminate economic blighted conditions in that the traffic mobility and pedestrian safety will be enhanced, provide incentive for private investment, and improved maintenance in the surrounding area.

### III. FINDINGS OF CONSISTENCY WITH IMPLEMENTATION PLAN

The payment of Agency funds toward the cost of the improvements are consistent with the Second Five-Year Implementation Plan for the Project Area, adopted pursuant to Health and Safety Code Section 33490, in that:

- A. The improvements are consistent with the Second Implementation Plan for the North Bay Redevelopment Project, which is recorded with the Agency as Document No. D-03664 and dated July 29, 2003, in that the improvements address the Implementation Plan's specific goals and objectives including:
  - i. Eliminate and prevent the spread of blight and deterioration, and conserve, rehabilitate, and redevelop the Project Area in accordance with the General Plan, specific plans, and local codes and ordinances;
  - ii. Improve, promote, and preserve the positive neighborhood characteristics in North Bay, while correcting physical and economic deficiencies in the community;
  - iii. Enhance pedestrian and vehicular mobility, and improve transportation facilities in compliance with ADA regulations;
  - iv. Enhance infrastructure facilities which improve the community and support public safety, health, and local vitality; and
  - v. Build public improvements to eliminate physical and economic conditions of blight.

RESOLUTION NUMBER R- 303748

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE A CONCESSION AGREEMENT WITH PACIFIC BEACH SURF SCHOOL FOR THE OPERATION OF SURF CAMPS ON CITY BEACHES.

WHEREAS, in 2002, the community recognized there was a significant impact from surf camp operators on public beaches; and

WHEREAS, the Park & Recreation Department together with Lifeguard Services, designated specific shoreline sites and implemented a permit process for surf camps; and

WHEREAS, to ensure standards of training, professionalism and liability were maintained, the City became involved with the surf camp; and

WHEREAS, in 2004, the Real Estate Assets Department issued a Request for Proposal (RFP) inviting surf camp operators to bid on any number of sites under the terms of the RFP; and

WHEREAS, the City granted three-year agreements to eight operators located on City beaches, including Ocean Beach, Mission Beach, Pacific Beach and La Jolla Shores; and

WHEREAS, the City has received combined rents from the surf concessions averaging \$148,000 per year; and

WHEREAS, the existing agreement expires on May 31, 2008; NOW, THEREFORE;


BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor and/or designee is hereby authorized to execute a new 64-month concession agreement with Pacific Beach Surf School for the operation of Surf Camps on City Beaches, specifically the sites North

of Santa Rita Place and South of Pacific Beach Drive in Pacific Beach, under the terms and conditions set forth in the agreement on file in the office of the City Clerk as Document

No. RR 303748.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego finds that this activity is not a project and is therefore not subject to from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3).

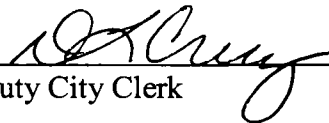
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Kimberly Ann Davies  
Deputy City Attorney

KAD:mm  
05/13/08  
Aud. Cert: N/A  
Or.Dept:Park & Rec  
R-2008-1023  
MMS# 6156

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-30-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor