

RESOLUTION NUMBER R- 304133

DATE OF FINAL PASSAGE SEP 23 2008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO MAKING CERTAIN FINDINGS WITH RESPECT TO THE PAYMENT FOR DEMOLITION OF THREE UNREINFORCED MASONRY BUILDINGS LOCATED AT 1335 MARKET STREET, 753 13TH STREET, AND 771 13TH STREET, 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 Centre City Redevelopment Project [Project Area]; and

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

WHEREAS, in order to implement the Redevelopment Plan, the Agency approved the Implementation Plan for the period of July 2004 – June 2009 for the Centre City and Horton Plaza Redevelopment Projects; and

WHEREAS, the Implementation Plan identifies the need to eliminate blight and remove public safety hazards of potentially unstable buildings that are owned by the Agency within the Project Area; and

WHEREAS, the California Community Redevelopment Law at Section 33420 of the California Health and Safety Code authorizes the Agency to clear or move buildings, structures, or other improvements from any real property acquired; and

WHEREAS, the Agency acquired three separate 5,000 square-foot sites for future development located at 1335 Market Street, 753 13th Street, and 771 13th Street, City of San

Diego, in the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project; and

WHEREAS, each of the sites currently contains unreinforced masonry buildings [URM's] which the Agency proposes to demolish for compliance with mandatory provisions of the City of San Diego's URM Ordinance; and

WHEREAS, funds in the amount of \$96,000 are available in the Fiscal Year 2008-2009 Agency Parks Budget to demolish the structures located at 753 13th Street and 771 13th Street and funds in the amount of \$48,000 are available in the Fiscal Year 2008-2009 Agency Low and Moderate Income Housing Fund Budget to demolish the structure located at 1335 Market Street; and

WHEREAS, the City Council of the City of San Diego has duly considered the conditions of the proposed payments for demolition and believes that the payment by the Agency of all or part of the cost of the proposed demolition are in the best interests of the City and the 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 City Council of the City of San Diego [Council], as follows:

1. That the Council finds and determines:

(a) That the proposed demolition for which the Redevelopment Agency [Agency] proposes to pay the cost of using Agency funds is of benefit to the Centre City Redevelopment Project Area [Project Area] and the immediate neighborhood in which the Project Area is located;

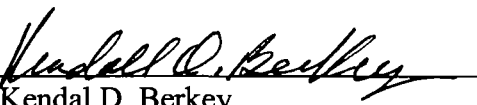
(b) That no other reasonable means of financing the demolition is available to the community;

- (c) That the payment of Agency funds for such demolition will assist in the elimination of blighting conditions inside the Project Area;
- (d) That the proposed demolition is consistent with the Implementation Plan adopted for the Project Area pursuant to California Health and Safety Code Section 33490; and
- (e) All of the findings set forth herein above are more fully described in the Findings of Benefit attached hereto as Attachment "A" and incorporated herein by this reference.

2. That the Council consents to the payment by the Agency for all or part of the costs associated with the demolition activities identified above in an amount not to exceed \$144,000.

3. That the Council finds and determines that this activity is categorically exempt from review under the California Environmental Quality Act [CEQA], Class 1, pursuant to CEQA Guidelines §15301.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Kendal D. Berkey
Deputy City Attorney

KDB:nda
08/29/08
Or.Dept:CCDC;Redev.Agency
R-2009-242
MMS#6713
Comp. RA-2009-16
RA-2009-17

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 16 2008.

ELIZABETH S. MALAND
City Clerk

By *Mary Zumbado*
Deputy City Clerk

Approved: 9-23-08
(date)

JS
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

FINDINGS

SUBJECT IMPROVEMENTS

REQUEST TO BID DEMOLITION OF THREE AGENCY OWNED URM BUILDINGS - EAST VILLAGE REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT

I. FINDINGS OF BENEFIT

The subject demolition for which the Redevelopment Agency of the City of San Diego (“Agency”) proposes to pay will benefit the East Village Redevelopment District or the immediate neighborhood in which the Project area is located in that

- A. This Project is within the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project, on underdeveloped properties
- B. The demolition of URM buildings will minimize liability and hazardous conditions and reduce loss of life/injury from the possibility of a potential building collapse. It will enhance the area for the benefit of residents
- C. The elimination of blighting conditions will act as a catalyst providing an incentive for private investment in the rehabilitation of the surrounding areas.

II NO OTHER REASONABLE MEANS OF FINANCING

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

City of San Diego

- A. The Fiscal Year 2009 Budget for the City of San Diego (“City”) increased approximately 13% from \$2.916 billion to \$3.295 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 2009 Budget reflects General Fund Revenues and expenditures of \$1.19 billion, representing an increase of \$82.3 million or a 7.4% increase over the Fiscal Year 2008 Budget. The General Fund Budget also includes 7,477 positions, an increase of 219 positions over the Fiscal Year 2008 Budget. The net increase is due to the restructuring of the Engineering and Capital Projects Department from the Enterprise and Internal Service Funds to the General Fund.

- 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 2009 Capital Improvement Program Budget totals \$574 million, an increase of \$82.3 million from Fiscal Year 2008. The increase is primarily due to an increase in funding for capital projects addressing deferred maintenance needs. Despite the increase in the City's CIP Budget, it is estimated that the City's deferred maintenance and capital needs from Fiscal Year 2008, is \$800 million to \$900 million. The Fiscal Year 2009 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.

The Agency's Fiscal Year 2009 Program Budget was adopted on May 20, 2008. 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.

On June 9, 2008, during the Fiscal Year 2009 City Budget deliberations, the City Council voted to increase the receipt of Agency repayments to the City to facilitate funding certain City budget recommendations made by the Independent Budget Analyst (Report #08-57, May 30, 2008).

III. ELIMINATION OF BLIGHTING CONDITIONS

The payment of funds toward the cost of the demolition will assist in the elimination of one or more blighting conditions in the East Village Redevelopment District area and the proposed demolition is consistent with the Implementation Plan adopted for the Project pursuant to Health and Safety Code 33490, in that:

- A The elimination of blighting conditions will enhance the neighborhood and facilitate the construction of a future park and low/mod affordable housing which will also replace inadequate public improvements. The proposed demolition will remove some of these adverse conditions.
- B The improvements will act as a catalyst providing an incentive for private investment, thereby contributing to the removal of economic blight.

Passed by the Council of The City of San Diego on SEP 16 2008, by the following vote:

Council Members	Yeas	Nays	Not Present	Recused
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

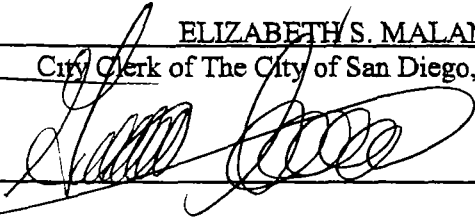
Date of final passage SEP 23 2008.

AUTHENTICATED BY:

JERRY SANDERS
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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