

12/02

RESOLUTION NUMBER R- 304522

DATE OF FINAL PASSAGE DEC 15 2008

A RESOLUTION APPROVING THE DESIGN AND CONSTRUCTION OF PARK IMPROVEMENTS FOR THE CITY HEIGHTS MINI PARK.

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

1. The Council finds and determines:

(a) That the design and construction of park improvements to be constructed on designated park property [Project] located on 43rd Street between University Avenue and Polk Street (City Heights Square Mini Park) [Project Area], for which the Redevelopment Agency [Agency] proposes to fund the cost of using Agency tax increment funds, are of benefit to the Project Area and the immediate neighborhood in which the Project Area is located;

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

(c) That the payment of Agency funds for the Project will assist in the elimination of blighting conditions inside the Project Area;

(d) That the proposed Project is consistent with the Third Implementation Plan adopted for the Project Area by the Agency on June 15, 2004, on file as Document No. 03771 in the office of the Secretary to the Agency, 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 Mayor or his designee is authorized to take all necessary actions to secure funding in an amount not to exceed \$731,500 from the Redevelopment Agency of the City of San Diego to be used toward the cost of design and construction of the park improvements.

3. That the City Comptroller is authorized to establish a special interest-bearing account Fund Number 10297, City Heights Redevelopment Capital Improvement Program Contributions (CH RDA CONTRIB TO CIP), for the deposit of Redevelopment Agency funds from the City Heights Redevelopment Project Area, as allocated in its Fiscal Year 2009 Budget, to be used toward the cost of design and construction of park improvements.

4. That the City Comptroller is authorized to accept an amount not to exceed \$731,500 from the City Heights Redevelopment Project Area and deposit said funds into Fund Number 10297, CH RDA CONTRIB TO CIP.

5. That the Fiscal Year 2009 Capital Improvement Program Budget is amended by adding CIP No. 29-956.0, City Heights Square Mini Park.

6. That the Fiscal Year 2009 Capital Improvements Program Budget for CIP No. 29-956.0, City Heights Square Mini Park, Fund Number 10297, CH RDA CONTRIB TO CIP is amended by increasing the budget amount by \$731,500.

7. That the City Comptroller is authorized to appropriate and expend an amount not to exceed \$731,500 from CIP No. 29-956.0, City Heights Square Mini Park, Fund Number 10297, CH RDA CONTRIB TO CIP, for the purpose of design and construction of park improvements.

8. That the City Comptroller is authorized to transfer back to the Redevelopment Agency of the City of San Diego any and all funds remaining in the Fiscal Year 2009 Capital Improvement Program Budget in CIP No. 29-956.0, City Heights Square Mini Park, Fund Number 10297, CH RDA CONTRIB TO CIP, in the event the park shall not be designed and constructed by the City within eighteen months of the City's successful execution of a construction contract or upon any cost savings should the actual costs of the Project be less than \$731,500.

9. That this activity is not subject to California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3). This action authorizes the transfer of funds from the Redevelopment Agency of the City of San Diego to the City of San Diego. Any future activity involving construction associated with this action will be subject to a separate environmental review as required by CEQA.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Shannon Thomas
Shannon Thomas
Deputy City Attorney

ST:sc
11/19/08
Aud.Cert.: N/A
Or.Dept:Planning
R-2009-696

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 02 2008.

ELIZABETH S. MALAND
City Clerk

By Mary Zumaiga
Deputy City Clerk

Approved: 12-15-08
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor