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RESOLUTION NUMBER R- 304797

DATE OF FINAL PASSAGE APR 29 2009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO (i) MAKING CERTAIN FINDINGS WITH RESPECT TO THE PAYMENT FOR THE INSTALLATION OF APPROXIMATELY 48 NEW STREETLIGHTS ALONG EL CAJON BOULEVARD AND STREAMVIEW DRIVE [IMPROVEMENTS] WITHIN THE CROSSROADS REDEVELOPMENT PROJECT AREA [PROJECT AREA] IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTION 33445; (ii) AMENDING THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET FOR CIP NO. 52-293.0, BY INCREASING THE BUDGET AMOUNT BY \$580,000; (iii) ACCEPTING FUNDING ASSISTANCE FROM THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO [AGENCY] FOR THE INSTALLATION OF THE IMPROVEMENTS; AND (iv) AUTHORIZING THE RETURN TO THE AGENCY OF ANY AND ALL FUNDS FROM THIS ALLOCATION REMAINING IN FUND NUMBER 30244 IF THERE ARE ANY COST SAVINGS.

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 Crossroads Redevelopment Project Area [Project Area]; and

WHEREAS, in order to implement the Redevelopment Plan for the Project Area, the Agency approved the Second Five-Year Implementation Plan for the period of Fiscal Years 2008 through 2012 [Second Implementation Plan]; and

WHEREAS, the Redevelopment Plan and the Second Implementation Plan identify the need for the construction of public improvements, including the installation of streetlights, to eliminate blighting conditions in the Project Area; and

WHEREAS, the Agency now proposes to contribute up to \$580,000 from the Project Area's tax increment funds derived from Fund No. 10274, Crossroads Redevelopment – CIP Contributions, to the City for deposit into Fund No. 30244, Capital Outlay Fund Unallocated Reserve, as an increase in the Fiscal Year 2009 Capital Improvement Program [CIP] Budget in CIP No. 52-293.0, Installation of City-Owned Streetlights, to pay for the cost of approximately 48 new, standard streetlights along El Cajon Boulevard from 54th Street to 73rd Street, and along Streamview Drive from 54th Street to College Avenue [Improvements], located within the Project Area; and

WHEREAS, the Agency desires to pay for the cost of the Improvements to implement the goals and objectives of the Redevelopment Plan and the Second Implementation Plan because the City presently has insufficient funding for the Improvements; and

WHEREAS, the City will manage the installation of the Improvements in connection with the City's existing CIP project known as the Installation of City-Owned Streetlights Project; and

WHEREAS, the City Council of the City of San Diego [Council] has duly considered the proposed transaction described above and the proposed Agency financial contribution for the installation of the Improvements and finds that the transaction and the payment by the Agency of the costs of the Improvements are in the best interests of the Project Area, 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, as follows:

1. That the Council finds and determines:

(a) That the installation of the Improvements, consisting of approximately 48 new, standard streetlights along El Cajon Boulevard from 54th Street to 73rd Street, and along Streamview Drive from 54th Street to College Avenue, located within the Project Area, for which the Agency proposes to pay using Agency tax increment funds from the Project Area, are of benefit to the Project Area and the immediate neighborhood in which the Project Area is located, as further described in Section I of the Special Findings attached to the staff report to the Council identified as Report No. RTC-09-042;

(b) That no other reasonable means of financing the Improvements is available to the community (i.e., the City), as further described in Section II of the Special Findings attached to the staff report to the Council identified as Report No. RTC-09-042;

(c) That the payment of Agency funds for the cost of installation of the Improvements will assist in the elimination of blighting conditions within the Project Area, as further described in Section III of the Special Findings attached to the staff report to the Council identified as Report No. RTC-09-042;

(d) That the Improvements are consistent with the Second Five-Year Implementation Plan adopted effective May 19, 2008 for the Crossroads Redevelopment Project pursuant to California Health and Safety Code section 33490, a copy of which Plan is on file with the Agency as Document No. D-04266, as further described in Section IV of the Special Findings attached to the staff report to the Council identified as Report No. RTC-09-042; and

(e) All of the findings set forth herein above are more fully described in the Special Findings attached to the staff report to the Council identified as Report No. RTC-09-042 and incorporated herein by this reference.

2. That the Mayor, or designee, is authorized to take all necessary actions to secure funding in an amount not to exceed \$580,000 from the Agency to be used toward the cost of installation of the Improvements.

3. That the Council hereby amends the Fiscal Year 2009 Capital Improvement Program Budget for CIP No. 52-293.0, Installation of City-Owned Streetlights Project, by increasing the budget amount by \$580,000.

4. That the City Comptroller is authorized to accept an amount not to exceed \$580,000 from the Project Area tax increment for the purpose of implementing the Installation of City-Owned Streetlights Project and to deposit said funds into Fund No. 30244, Capital Outlay Fund Unallocated Reserve, as an increase in the Fiscal Year 2009 Capital Improvement Program Budget in CIP No. 52-293.0, Installation of City-Owned Streetlights Project, to be used toward the cost of installation of the Improvements.

5. That the City Comptroller is authorized to appropriate and expend an amount not to exceed \$580,000 from CIP No. 52-293.0, Installation of City-Owned Streetlights Project, Fund No. 30244, Capital Outlay Fund Unallocated Reserve, for the purpose of installation of the Improvements.

6. That the City Comptroller is authorized to transfer back to the Agency any and all funds remaining in the Fiscal Year 2009 Capital Improvement Program Budget in CIP No. 52-293.0, Installation of City-Owned Streetlights Project, Fund No. 30244, Capital Outlay Fund Unallocated Reserve, upon any cost savings should actual costs of the Improvements be less than \$580,000.

7. That the Council finds and determines that this activity is categorically exempt from the California Environmental Quality Act [CEQA] pursuant to CEQA

Guidelines section 15303(d), in that the Improvements involve the installation of limited numbers of new, small facilities, including street improvements.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Kevin J. Reisch
Kevin J. Reisch
Deputy City Attorney

KJR:hm:pev
03/10/09
Or.Dept:Redev.Agency
R-2009-942
MMS#8006
Companion Item to RA-2009-81

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 14 2009.

ELIZABETH S. MALAND
City Clerk

By Sara Richards
Deputy City Clerk

Approved: 4-29-09
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor