

RESOLUTION NUMBER R- 304853  
DATE OF FINAL PASSAGE MAY 04 2009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO (i) AUTHORIZING THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, BY AND THROUGH THE CENTRE CITY DEVELOPMENT CORPORATION, TO ADVERTISE AND RECEIVE BIDS AND TO AWARD AND ADMINISTER A CONTRACT FOR THE LITTLE ITALY PUBLIC IMPROVEMENTS [IMPROVEMENTS] ON THE BLOCKS BOUNDED BY WEST LAUREL, CALIFORNIA, ASH, AND UNION STREETS AND INTERSTATE 5 IN THE LITTLE ITALY REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT; (ii) MAKING CERTAIN FINDINGS WITH RESPECT TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO'S PAYMENT FOR THE DESIGN AND CONSTRUCTION OF THE IMPROVEMENTS IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTION 33445; AND (iii) AGREEING TO ACCEPT THE IMPROVEMENTS UPON PROJECT COMPLETION.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan [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 previously approved the Implementation Plan for the period of July 2004 – June 2009 for the Centre City and Horton Plaza Redevelopment Projects [Implementation Plan]; and

WHEREAS, the Implementation Plan identifies the need to eliminate blight and remove public safety hazards by providing quality public-surface improvements, and improving surface improvements to the current City standards within the Project Area; and

WHEREAS, the proposed Improvements will consist of removal and replacement of damaged sidewalks, driveways, parkways, curbs, gutters, non-ADA compliant pedestrian ramps, and utility boxes, and installation of missing street trees per the Centre City Streetscape Manual; and

WHEREAS, all of the concrete surface improvements that are being replaced are in broken and poor condition and some of the sidewalks are over 50 years old; and

WHEREAS, all of the historic sidewalk stamps and survey monuments within the work limits will be preserved and pedestrian ramps adjacent to the work limits that do not meet ADA standards will be replaced to the current standard; and

WHEREAS, funds in the amount of \$1,154,303 are available in the Agency's Fiscal Year 2009 Little Italy District Budget to pay for the cost of design and construction of the Improvements; and

WHEREAS, the Agency desires to pay for the cost of the design and construction of the Improvements, and the City presently has insufficient funding for said Improvements; and

WHEREAS, the Agency now proposes to administer and manage the design and construction of the Improvements, by and through the Corporation, and to contribute up to \$1,154,303 from the Project Area's tax increment funds to pay for the cost of design and construction of the Improvements to be constructed within the Project Area; and

WHEREAS, the City Council of the City of San Diego has duly considered the actions described above and the proposed Agency financial contribution for the design and construction of the Improvements and finds that the actions and the payment by the Agency of all or part of the costs of said Improvements are of primary benefit to the Project Area and 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 [Council] of the City of San Diego [City], as follows:

1. That the Council authorizes the Redevelopment Agency of the City of San Diego [Agency], by and through the Centre City Development Corporation, to administer and manage the design and construction of the proposed Little Italy Public Improvements [Improvements] from West Laurel, California, Ash and Union streets, and Interstate 5, in the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project Area [Project Area].

2. That the Council finds and determines:

(a) That the design and construction of the Improvements from West Laurel, California, Ash and Union streets, and Interstate 5, in the Little Italy Redevelopment District of the Expansion Sub Area of the Project Area for which the Agency proposes to pay the cost of using Agency 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 as Attachment B to the staff report to the Council identified as Report No. CCDC-09-07;

(b) That no other reasonable means of financing the Improvements is available to the community as further described in Section II of the Special Findings attached as Attachment B to the staff report to the Council identified as Report No. CCDC-09-07;

(c) That the payment of Agency funds for the cost of design and construction 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 as Attachment B to the staff report to the Council identified as Report No. CCDC-09-07;

(d) That the Improvements are consistent with the Implementation Plan adopted for the Project Area pursuant to California Health and Safety Code Section 33490, as further described in Section IV of the Special Findings attached as Attachment B to the staff report to the Council identified as Report No. CCDC-09-07; and

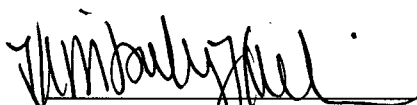
(e) All of the findings set forth herein above are more fully described in the Findings of Benefit attached to the staff report as Attachment B to the Council identified as Report No. CCDC-09-07 and incorporated herein by this reference.

3. That the Council authorizes the City to accept the Improvements upon completion of the project.

4. That the Council finds and determines that this activity is categorically exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15301, Existing Facilities, Class 1 (c); that this activity does not fall within any of the classes of projects for which a categorical exemption may not be applied (Cal. Pub. Resources Code Section 21084); that this activity triggers none of the exceptions to the application of a categorical exemption set forth in CEQA Guidelines Section 15300.2; and that the application of the categorical exemption set forth under CEQA Guidelines Section 15301, Existing Facilities, Class 1 (c), is appropriate for this activity.

5. That the Council finds and determines that this activity is statutorily exempt from CEQA pursuant to State CEQA Guidelines Section 15282(k) as set forth in California Public Resources Code Section 21080.21.


APPROVED: JAN I. GOLDSMITH, City Attorney

By   
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Kimberly K. Gaelin  
Deputy City Attorney

KKK:nda  
03/13/09  
04/02/09 Cor.Copy  
Or.Dept:CCDC  
R-2009-957  
MMS#7809  
Comp. RA-2009-84

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 28 2009.

ELIZABETH S. MALAND  
City Clerk

By   
\_\_\_\_\_  
Deputy City Clerk

Approved: 5-4-09  
\_\_\_\_\_  
(date)

  
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JERRY SANDERS, Mayor

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

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JERRY SANDERS, Mayor