

RESOLUTION NUMBER R- 308851

DATE OF FINAL PASSAGE APR 10 2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO CLOSING CERTAIN CAPITAL IMPROVEMENT
PROGRAMS RELATED TO SIDEWALK AND STREET
LIGHTING PROJECTS IN THE CITY HEIGHTS
REDEVELOPMENT PROJECT AREA.

WHEREAS, from its formation in 1958 until its elimination on February 1, 2012, the Redevelopment Agency of the City of San Diego (Former RDA) administered the implementation of various redevelopment projects, programs, and activities within designated redevelopment project areas throughout the City of San Diego (City); and

WHEREAS, the Former RDA dissolved as of February 1, 2012, in accordance with a deadline for elimination of all redevelopment agencies throughout California set forth in Assembly Bill x1 26 (AB 26), as modified by the California Supreme Court in a final opinion issued on December 29, 2011, in litigation designated as Case No. S194861; and

WHEREAS, before the Former RDA's dissolution, the City Council adopted Resolution No. R-307238 effective January 12, 2012, designating the City to serve as the successor agency to the Former RDA (Successor Agency) pursuant to California Health and Safety Code section 34173(d)(1); and

WHEREAS, upon the Former RDA's dissolution on February 1, 2012, the Successor Agency became vested with all of the Former RDA's authority, rights, powers, duties, and obligations under the California Community Redevelopment Law and, by operation of law, received all assets, properties, contracts, leases, books and records, buildings and equipment of the Former RDA; and

WHEREAS, the Successor Agency is winding down the Former RDA's affairs in accordance with AB 26 and subsequent legislation (collectively, the Dissolution Laws); and

WHEREAS, the Oversight Board has been formed to oversee certain actions and decisions of the Successor Agency in accordance with the Dissolution Laws; and

WHEREAS, the San Diego County Auditor-Controller, the State Controller, and the California Department of Finance (DOF) also possess certain rights and obligations under the Dissolution Laws with respect to the Successor Agency's administration of the Former RDA's operations; and

WHEREAS, the Dissolution Laws require the Successor Agency to submit to the Oversight Board and the DOF, for their review and approval, a Recognized Obligation Payment Schedule (ROPS) covering payments owed by the Successor Agency to third parties toward enforceable obligations during each upcoming six-month fiscal period; and

WHEREAS, in late 2011, in reliance on a Cooperation Agreement between the City and the Former RDA, dated February 28, 2011, as subsequently amended (Amended Cooperation Agreement), the City Council by Resolutions R-307188 and R-307099 created various Capital Improvement Programs (CIPs) for sidewalk and street lighting projects, including: (1) CIP S-12023 for the 50th/53rd & Meade Colina Park Sidewalks Project, (2) CIP S-12024 for the Altadena/52nd Colina Park Sidewalks Project, (3) CIP S-12025 for the Colina Park Neighborhood Street Lights Project, and (4) CIP S-12027 for the Euclid – Dwight to Isla Vista Sidewalks Project (collectively, the CIP Projects), to be performed by the City using funds that were transferred by the Former RDA to the City under the Amended Cooperation Agreement; and

WHEREAS, after the creation of the CIP Projects, the DOF retroactively invalidated the Amended Cooperation Agreement as a result of the Dissolution Laws, and the City returned Amended Cooperation Agreement funds to the Successor Agency that otherwise would have been used by the City for the CIP Projects; and

WHEREAS, as a result of the City's required return of funds to the Successor Agency, the above-identified CIPs will need to be closed in order to allow the Successor Agency to carry out the affected projects utilizing excess non-housing bond proceeds; and

WHEREAS, pursuant to ROPS 13-14B covering the time period of January through June 2014, the Successor Agency is now permitted to expend excess non-housing bond proceeds;

NOW, THEREFORE,

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

1. The City's Chief Financial Officer (CFO) is authorized and directed to close CIP S-12023 for the 50th/53rd & Meade Colina Park Sidewalks Project.
2. The CFO is authorized and directed to close CIP S-12024 for the Altadena/52nd Colina Park Sidewalks Project.
3. The CFO is authorized and directed to close CIP S-12025 for the Colina Park Neighborhood Street Lights Project.

4. The CFO is authorized and directed to close CIP S-12027 for the Euclid – Dwight to Isla Vista Sidewalks Project.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Kevin Reisch
Kevin Reisch
Chief Deputy City Attorney

KR:nja
03/20/14
Or.Dept:Comptroller
Doc. No. 751262
Comp. No.: R-2014-577
R-2014-578
R-2014-579
R-2014-581
R-2014-583

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 25 2014.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

[Signature]
KEVIN L. FAULCONER, Mayor

Approved: 4/10/14
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAR 25 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 2 (Vacant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 10 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
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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