

RESOLUTION NUMBER R- 308852DATE OF FINAL PASSAGE APR 10 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, ACTING IN ITS CAPACITY AS THE BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, APPROVING CERTAIN AGREEMENTS AND EXPENDITURES RELATED TO THE COLINA DEL SOL NEIGHBORHOOD SIDEWALK PROJECTS, THE COLINA DEL SOL NEIGHBORHOOD STREET LIGHTING PROJECT AND THE EAST EUCLID AVENUE PEDESTRIAN IMPROVEMENTS PROJECT, ALL LOCATED WITHIN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA, AND THE EL CAJON BOULEVARD PEDESTRIAN IMPROVEMENTS PROJECT LOCATED WITHIN THE CROSSROADS 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, the Colina Del Sol Neighborhood Sidewalks Project, the Colina Del Sol Street Lighting Project and the East Euclid Avenue Pedestrian Improvements Project, all in the City Heights Redevelopment Project Area, and the El Cajon Boulevard Pedestrian Improvements Project in the Crossroads Redevelopment Project Area (collectively, the Projects) were originally conceived in 2008 and approved by the City Council and the Redevelopment Agency in 2011, but were all subsequently delayed as a result of the Dissolution Laws; and

WHEREAS, the Successor Agency will carry out the 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 toward the Projects from the respective project areas in which the Projects are located; and

WHEREAS, the Projects contemplate the design and construction of new sidewalks, stairs, retaining walls, pedestrian ramps and streetlights and the repair of existing sidewalks within the respective project areas in which the Projects are located; and

WHEREAS, the approval of Professional Services Agreements for civil engineering services for the Projects in the form included as Attachments D, E, F and G to Staff Report No. CSD-14-04 accompanying this Resolution, is now necessary in order to allow the Projects to move forward; and

WHEREAS, the Dissolution Laws, as interpreted by the DOF, require the Oversight Board and the DOF to approve the Professional Services Agreements before they can become effective; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, acting in its capacity as the board of the Successor Agency, as follows:

1. The City's Chief Financial Officer (CFO) is authorized to appropriate and expend an amount not to exceed \$222,760 for civil engineering services for the Colina Del Sol Neighborhood Sidewalks Project in the City Heights Redevelopment Project Area from funds identified in Line Item 552 of the applicable ROPS of the Successor Agency.

2. The Professional Services Agreement with O'Day Consultants, Inc. for civil engineering services for the Colina Del Sol Neighborhood Sidewalks Project in an amount not to exceed \$222,760 is approved. A copy of this agreement, once fully executed, shall be placed on file in the Office of the City Clerk as Document No. RR- 308852-1.

3. The CFO is authorized to appropriate and expend an amount not to exceed \$91,979 for civil engineering services for the Colina Del Sol Neighborhood Street Lighting Project in the City Heights Redevelopment Project Area from funds identified in Line Item 552 of the applicable ROPS of the Successor Agency.

4. The Professional Services Agreement with O'Day Consultants, Inc. for civil engineering services for the Colina Del Sol Neighborhood Street Lighting Project in an amount not to exceed \$91,979 is approved. A copy of this agreement, once fully executed, shall be placed on file in the Office of the City Clerk as Document No. RR- 308852-2.

5. The CFO is authorized to appropriate and expend an amount not to exceed \$31,680 for civil engineering services for the East Euclid Avenue Pedestrian Improvements Project in the City Heights Redevelopment Project Area from funds identified in Line Item 550 of the applicable ROPS of the Successor Agency.

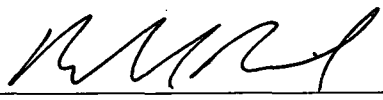
6. The Professional Services Agreement with O'Day Consultants, Inc. for civil engineering services for the East Euclid Avenue Pedestrian Improvements Project in an amount not to exceed \$31,680 is approved. A copy of this agreement, once fully executed, shall be placed on file in the Office of the City Clerk as Document No. RR- 308852-3.

7. The CFO is authorized to appropriate and expend an amount not to exceed \$103,581 for civil engineering services for the El Cajon Boulevard Pedestrian Improvements

Project in the Crossroads Redevelopment Project Area from funds identified in Line Item 560 of the applicable ROPS of the Successor Agency.

8. The Professional Services Agreement with O'Day Consultants, Inc. for civil engineering services for the El Cajon Boulevard Pedestrian Improvements Project in an amount not to exceed \$103,581 is approved. A copy of this agreement, once fully executed, shall be placed on file in the Office of the City Clerk as Document No. RR- 308852-4.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Michael Reid  
Deputy City Attorney

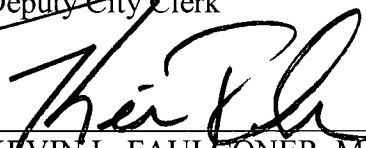
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03/20/14  
Or.Dept: Civic San Diego  
Doc. No. 751246  
Comp. No.: R-2014-577  
R-2014-578  
R-2014-579  
R-2014-580  
R-2014-583

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   
Deputy City Clerk

Approved: 4/10/14  
(date)

  
KEVIN L. FAULCONER, Mayor

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
Sherr 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.

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

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 308852