

RESOLUTION NUMBER R- 309098

DATE OF FINAL PASSAGE JUL 17 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 FIRE STATION NO. 2 BAYSIDE PROJECT LOCATED WITHIN THE CENTRE CITY 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 proposed Fire Station No. 2 Bayside Project (Project) is a legacy project of the Former RDA that contemplates the construction of a new fire station on property owned by the Former RDA (Site) in the Centre City Redevelopment Project Area (Project Area); and

WHEREAS, the Site is included in the Successor Agency's Long-Range Property Management Plan (PMP), pending review and approval by the DOF, with a recommendation to transfer it to the City as a future development site for construction of Project; and

WHEREAS, in December 2009, the City Council, on behalf of the Former RDA and the City, approved a design consultant agreement for architectural and engineering design of the Project, and the preparation of construction documents commenced; and

WHEREAS, upon the passage of AB 26, the construction documents were approximately 90 percent complete, and the Project was placed on hold as construction funding became uncertain; and

WHEREAS, Civic San Diego (CivicSD) has now identified funding for the Project, and is thus in the process of restarting the Project; and

WHEREAS, the Successor Agency will carry out the Project utilizing excess non-housing bond proceeds as well as funding through development impact fees; and

WHEREAS, pursuant to ROPS 14-15A covering the time period of July through December 2014, the Successor Agency is now permitted to expend excess non-housing bond proceeds toward the Project from the Project Area; and

WHEREAS, the approval of a Professional Services Agreement for construction administration and record document services, in the form included as Attachment B to Staff Report No. CSD-14-05 accompanying this Resolution, and the approval of a contracting process leading to the award of a Professional Services Agreement for construction management and inspection services, are now necessary in order to allow the Project 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 \$406,684 for the payment of Rob Wellington Quigley Architects FAIA

(RWQ) related to construction administration and record document services for the Project from funds identified in Line Item 297 of the applicable ROPS of the Successor Agency.

2. The Professional Services Agreement with RWQ for construction administration and record document services for the Project in an amount not to exceed \$406,684 is approved.

3. The CFO is authorized to appropriate and expend an amount not to exceed \$400,000 for construction management and inspection services for the Project from funds identified in Line Item 589 of the applicable ROPS of the Successor Agency.

4. CivicSD, on behalf of the Successor Agency, is authorized to select (through a qualifications-based selection process), negotiate and enter into an agreement with a consultant for construction management and inspection services for the Project in an amount not to exceed \$400,000.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

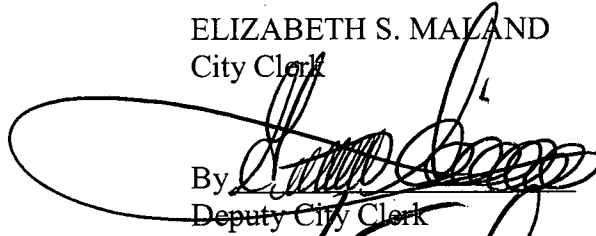


Michael Reid
Deputy City Attorney

MTR:nja
06/13/14
Or.Dept: Civic San Diego
Doc. No. 801905

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 01 2014.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/16/14
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 01 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"/>
Ed Harris	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 17 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

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