

RESOLUTION NUMBER R- 309761

DATE OF FINAL PASSAGE JUN 11 2015

Item # 101  
Tuesday, 6/2/15

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO ESTABLISHING A CIP PROJECT AND  
AUTHORIZING EXPENDITURE FOR THE BETA STREET  
GREEN ALLEY PUBLIC IMPROVEMENT PROJECT.

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 *California Redevelopment Assn. v. Matosantos*, 53 Cal.4th 231 (2011); and

WHEREAS, at the time of the Former RDA's dissolution, the City, in its capacity as the Successor Agency to the Former RDA (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, enacted on June 28, 2011, and subsequent legislation (collectively, the Dissolution Laws); and

WHEREAS, pursuant to Resolution No. R-309274 and Resolution No. R-309248, both passed on October 8, 2014, the City and the Successor Agency entered into that certain

Agreement Regarding Expenditure of Excess Redevelopment Bond Proceeds dated November 14, 2014, on file in the Office of the City Clerk as Document No. RR-309247 (Bond Expenditure Agreement), which provides for the Successor Agency's transfer of excess non-housing bond proceeds to the City and the City's expenditure of such bond proceeds in accordance with the Bond Spending Plan included as Exhibit 2 to the Bond Expenditure Agreement (Bond Spending Plan); and

WHEREAS, the Beta Street Green Alley Public Improvement Project includes improvement of a 20-foot wide dirt alley extending from 38th to 39th Street and Beta Street, with permeable paving, curbs, gutters, sidewalks along Beta Street, and pedestrian ramps at the existing improved roadways (Project); and

WHEREAS, the Bond Spending Plan identifies the Project as one of the activities to be implemented by the City under the Bond Expenditure Agreement, using excess non-housing bond proceeds now in the City's possession; NOW, THEREFORE,

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


1. In accordance with the FY15 Annual Appropriations Ordinance, the Mayor or his designee is authorized to add CIP S-15041, Beta Street Green Alley Public Improvements (38th, 39th, and Beta Streets) to the FY15 Capital Improvements Program.
2. The Chief Financial Officer is authorized to increase the Capital Improvements Program Budget in CIP S-15041, Beta Street Green Alley Public Improvements (38th, 39th, and Beta Streets) and to appropriate and expend \$419,000 from Fund 400315 – SC/Taxable TI Bonds 2007A, and \$76,000 from Fund 200700 – RPTTF, solely and exclusively for the Beta Street Green Alley Public Improvement Project, contingent upon the Chief Financial Officer furnishing

a certificate certifying that all funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. That the Chief Financial Officer is authorized to transfer excess funds, if any, to the appropriate reserves.

4. That Council Policy 800-14, Prioritizing Capital Improvement Program Projects, is hereby waived.

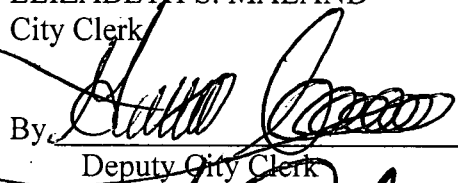
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Nathan Slegers  
Deputy City Attorney

NLJS:dkr  
05/06/15  
05/28/15 COR. COPY  
Or.Dept:Civic San Diego  
Doc. No.: 990571\_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 02 2015.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6/11/15  
(date)

  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 02 2015, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 11 2015

(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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