

RESOLUTION NUMBER R- 310809

DATE OF FINAL PASSAGE DEC 16 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING EXECUTION OF A
FIVE-YEAR OPERATING AGREEMENT BETWEEN
THE CITY OF SAN DIEGO AND CIVIC SAN DIEGO

WHEREAS, Civic San Diego (Civic) is a California nonprofit public benefit corporation (Civic) and the City of San Diego (City) is its sole member; and

WHEREAS, Civic was formerly known as the Centre City Development Corporation (CCDC) and is successor to the former Southeastern Economic Development Corporation (SEDC); and

WHEREAS, CCDC and SEDC were formed by City to provide redevelopment and economic development services under contract with City's former Redevelopment Agency (Former Agency), and Civic, as their successor, provided operational functions to City and to Former Agency, and now provides operational functions to City as both the Successor Agency to the Former Agency (Successor Agency) and to City acting in its capacity as housing successor to the Former Agency (Housing Successor); and

WHEREAS, under prior agreements with City, Civic provided City and Former Agency with a range of services that included, among other things: redevelopment and affordable housing project management functions within the Centre City and Horton Plaza project areas; plan implementation and permitting functions in specified areas in accordance with City-approved regulations, plans, and policies including the Centre City Community Plan, the Centre

City, Gaslamp and Marina Planned District Ordinances and related documents; parking management functions for the Downtown Community Parking District in accordance with the Comprehensive Downtown Parking Plan; economic development functions; and special projects as assigned by City or Former Agency; and

WHEREAS, after the State Legislature adopted legislation dissolving redevelopment agencies across the state, City elected to serve as successor to the Former Agency for the purpose of carrying out the required wind-down and reporting activities; and

WHEREAS, in its role as Successor Agency, City entered into the agreements with Civic for Civic to perform the activities required by the dissolution law, and to continue providing plan implementation, permitting, parking management, and economic development functions, and Civic currently provides these services to City pursuant to these agreements: (1) the June 2012 Agreement for Consulting Services By and Between the City of San Diego and Civic San Diego for Successor Agency and Housing Successor Agency Services (City Clerk (CC) Doc. No. RR-307537-1), as amended on November 26, 2012 (CC Doc. No. RR-307849) (Successor Agency Agreement); (2) the June 2012 Agreement for Consulting Services By and Between the City of San Diego and Civic San Diego for Administration of Certain Planned Districts, the Downtown Community Parking District and Economic Development Services (CC Doc. No. RR-307537-2) (Downtown Services Agreement); and (3) the annual Memoranda of Understanding (MOU) Between City and Civic Regarding the Downtown Community Parking District, most recently, the FY 2015-FY 2020 MOU (CC Doc. No. RR-309837-8) (Downtown Parking District MOU) and other agreements pertaining to administration or management of parking garages and facilities; and

WHEREAS, Consistent with the 2012 Successor Agency and Downtown Services Agreements and the Downtown Parking District MOU, City compensates Civic for its services by reimbursing Civic for eligible expenses such as salaries and operating costs, using revenues collected through permitting fees, parking, and other non-General Fund revenue sources, and in accordance with Civic's annual Operating Budget approved by City; and

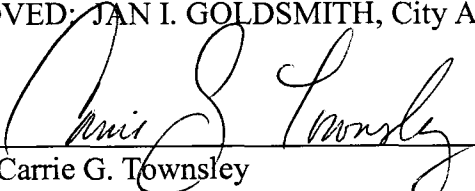
WHEREAS, City and Civic desire to update and clarify the agreements under which Civic currently provides services by separating into a distinct agency agreement those services provided by Civic as City's agent for permitting functions, and entering into a new Operating Agreement for all other functions provided by Civic for City, and not assuming or taking over any services currently performed by City employees; and

WHEREAS, the proposed Operating Agreement and Agency Agreement will continue to provide accountability and City oversight of the functions performed by Civic, and will continue and increase the transparency to the City Council and public of the functions and services to be approved by City each year for performance by Civic; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Mayor or his designee is authorized and directed to execute, for and on behalf of the City, that certain Operating Agreement Between the City of San Diego and Civic San Diego (Operating Agreement), for a five-year term on the terms and conditions as set forth in the Operating Agreement on file in the office of the City Clerk as Document No. RR- 310809, together with any reasonably necessary modifications or amendments thereto which do not materially


change the terms and which the Mayor or designee shall deem necessary from time to time in order to carry out the purposes and intent of the Operating Agreement.

APPROVED: JAN I. GOLDSMITH, City Attorney


By 
Carrie G. Townsley
Deputy City Attorney

CGT:jdf
11/30/16
Or.Dept: Mayor
Doc. No.: 1398511

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 02 2016.

ELIZABETH S. MALAND
City Clerk
By 
Deputy City Clerk

Approved: 12/14/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 02 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 16 2016

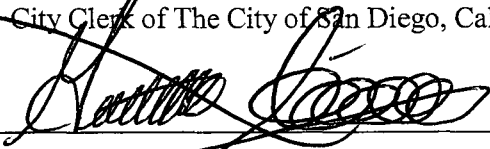
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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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