THE CITY OF SAN DIEGO

REPORT TO THE CITY COUNCIL

DATE ISSUED: June 10, 2010 REPORT NO: 10-087

ATTENTION: Rules Committee

SUBJECT: San Diego Unified School District- Additional Improvements to New Central Library

REQUESTED ACTION:

Authorize the Mayor or his designee to:

1. Authorizing the Mayor or his representative to accept and deposit up to $500,000 reimbursement from San Diego Unified School District (SDUSD) into SDUSD Fund No. 400003 for SDUSD required architectural modifications to the building; and

2. Authorizing an increase up to $500,000 in the Fiscal Year 2011 Capital Improvements Program Budget in CIP S-00799 (legacy CIP 35-082.0) SDUSD Fund No. 400003 for the reimbursement of SDUSD required architectural modifications, SAN DIEGO NEW CENTRAL LIBRARY; and

STAFF RECOMMENDATION:
Approve the Proposed Resolutions

SUMMARY:
The New Central Library project (also known as the New Main Library) will be located between Park Boulevard, 11th Avenue, and J and K Streets. The nine-story, 491,234 square foot building will house a number of public amenities including public communal areas, bay view terraces, roof gardens, public computers, broadband wireless internet, children's library, teen center, 350-seat auditorium, 400-seat multi-purpose room, art gallery, café, underground parking and photovoltaic energy system.

On April 19, 2010 the City Council approved a Lease Agreement with SDUSD for the lease of the 6th and 7th floors to operate a charter school. The lease will provide $20,000,000 in pre-paid rent towards the funding of the project.

After conducting further architectural and design review, SDUSD required architectural changes over and above those originally contemplated in the design. SDUSD is requesting to pay the City so that these additional improvements can be achieved during construction. SDUSD will deposit the funding in an escrow account for the City to draw down, not to exceed $500,000. A separate fund will be set up to cover any reimbursable costs that arise upon request of SDUSD. Currently SDUSD has requested additions totaling $206,000. Any additional payments rendered by SDUSD will increase the total budget above $184,900,000.

FISCAL CONSIDERATIONS:

These actions request the appropriation and expenditure of up to an additional $500,000 from CIP S-00799, SAN DIEGO CENTRAL LIBRARY for the purpose of project construction and related costs, contingent upon the City Comptroller certifying funds are, or will be on deposit with the city treasurer for each phase of construction. Funds will be available in: SDUSD Fund Number 400003 ($20,000,000) with up to and additional ($500,000) set aside for the reimbursement of SDUSD directed construction changes to the building.

EQUAL OPPORTUNITY CONTRACTING:

Staff is the process of conducting a comprehensive review and verification of Turner Construction's subcontractor participation information. The results will be provided once the review is complete. Turner has an approved EO Plan on file dated October 2009. EO plans approvals are granted for two years.

ENVIRONMENTAL IMPACT ANALYSIS:

On May 28, 2002, the San Diego City Council approved the New Main Library Project, certified the original Mitigated Negative Declaration (MND) (LDR No. 41-0980), and adopted the Mitigation Monitoring and Reporting Program (MMRP) (Council Resolution R-296576) and the application for round one of the Library Bond Act Grant application process. In order to satisfy the grant application requirements for round two of the Library Bond Act, the original MND was submitted to the State Clearing House (SCH) in January 2003 for the required 30-day public review. Prior to the close of the SCH review period, the City Council approved a resolution to submit an application for the Main Library in round two of the Library Bond Act process. A subsequent Notice of Determination was filed for this action based on the previously approved MND (Resolution No. R-297614, dated February 3, 2003). Because one letter of comment was received from a State agency during the required SCH review period, an Addendum (LDR No. 41-0980A) was prepared to respond to the comment letter and clarify the environmental process that was followed for round two of the Library Bond Act grant application. Subsequent to certification and adoption of the Main Library MND in 2002 and the addendum in 2004, the Downtown Community Plan was adopted in 2006 along with certification of a Final Program

EIR (FEIR), which assumed intense development on this site and the project consistent with the Main Library project.

On October 9, 2009, the Development Services Department (DSD), Environmental Analysis Section provided a memorandum to the Engineering and Capital Projects Department analyzing whether any further environmental review under the California Environmental Quality Act (CEQA) would be required should the Project incorporate a school use on two floors where office uses had been contemplated under the original MND for the project. This evaluation concluded that the inclusion of a school did not trigger any of the conditions specified in CEQA Guidelines Section 15162 that require the preparation of a subsequent MND for the project. Specifically, DSD determined that, including a public school on in the New Central Library project, would not result in a substantially changed project; would not result in new impacts or changed circumstances that would require a new environmental document; and all potential impacts were adequately addressed in the 2006 FEIR.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:
The following actions have occurred since 1996:

- On July 7, 2009, (R-05063), the City Council authorized a letter of intent that defines the conditions of San Diego Unified School District leasing the sixth and seventh floors of the New Main Library as a Charter School and on April 19, 2010 (R-305763), the City Council approved the City of San Diego New Central Library Lease Agreement with SDUSD.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:
Citizen committees have studied possible sites for the new main library through 45 independent studies done over a 35-year period of time. Extensive community input was obtained with all major stakeholders in agreement.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:
Rob Wellington Quigley Architects, Inc., Tucker Sadler Noble Castro Architects, Inc. and their sub-consultants, Turner Construction Company, City of San Diego Library Department and its patrons, San Diego Unified School District, Centre City Development Corporation (CCDC), California State Library and the San Diego Library Foundation.

Patti Boekamp, Director
Engineering & Capital Projects

for Dave Jarrell
Deputy Chief of Public Works