

000981

REPORT NO. CCDC-07-25
CCDC-07-13

DATE ISSUED: October 3, 2007

ATTENTION: Honorable Chair and Members of the Redevelopment Agency
Council President and City Council
Docket of October 9, 2007

ORIGINATING DEPT.: Centre City Development Corporation

SUBJECT: Little Italy Concrete Planters and Hanging Baskets (India, Ash,
Beech, Date, Fir, and Hawthorn streets) – Request to Accept Bid,
Authorize Funding, and Make Findings – Little Italy Redevelopment
District of the Expansion Sub Area of the Centre City Redevelopment
Project

COUNCIL DISTRICT: District 2

REFERENCE: None.

STAFF CONTACT: Tara Lake, Associate Planner, 619-533-7173
John Anderson, Senior Project Manager – Public Works,
619-533-7140

REQUESTED ACTION: That the Redevelopment Agency (“Agency”) and the City Council (“Council”) take actions as necessary for the purchase of concrete planters and hanging baskets for placement in the Little Italy District.

STAFF RECOMMENDATION: That the Corporation recommend that the Agency:

- Authorize the expenditure of up to \$200,000 for concrete planters and hanging baskets for placement in the Little Italy District; and
- Make certain findings that the proposed improvements benefit the Centre City Project Area or the immediate neighborhood in which the Project is located; that no other reasonable means of financing the improvements are available to the community; that the payment of funds for such improvements will assist in the elimination of blight conditions inside the Project Area; and that the proposed improvements are consistent with the Implementation Plan adopted for the Project Area pursuant to Health and Safety Code Section 33490.

And that the Council:

- Make certain findings that the proposed improvements benefit the Centre City Project Area or the immediate neighborhood in which the Project is located; that no other reasonable means of financing the improvements are available to the community; that the payment of funds for such improvements will assist in the elimination of blight conditions inside the Project Area; and that the proposed improvements are consistent with the Implementation Plan adopted for the Project Area pursuant to Health and Safety Code Section 33490.

SUMMARY: The improvements will enhance the Little Italy District with plants in concrete planters and hanging baskets in selected areas (Attachment A). The improvements will be permanently maintained by the Little Italy Association (“LIA”) per LIA resolution (Attachment B). The LIA operates as a property-based enhancement district (“PBid”) for the Little Italy District. The Corporation will purchase the concrete planters and hanging baskets. The LIA will supply all plants and labor for installation of the plant materials and maintenance of the project. The Corporation will bid the material purchase per Corporation vendor purchasing policy. As the material purchase is not bid yet, this report requests funding not to exceed \$200,000. The Corporation vendor purchasing and contracting policy requires Agency approval prior to execution of the bid. The cost estimate is \$177,691 (Attachment C).

FISCAL CONSIDERATIONS: The improvements are funded in the 2008 Budget under “Little Italy Public Improvements Project.” The total available funding is \$1,899,000. The requested funding is not to exceed \$200,000. The planted pots and baskets are the first phase of the project. The remaining funds of \$1,699,000 will be used in a second phase for new sidewalks, signs, new trees, and other improvements. The second phase is currently in design.

CENTRE CITY DEVELOPMENT CORPORATION RECOMMENDATION: The Centre City Development Corporation Board approved this item unanimously on July 25, 2007.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: On June 5, 2007, the LIA voted in favor of purchasing and installing the plant material for the concrete planters and hanging baskets with earmarked LIA funds, to assign resources for the permanent maintenance of all planters and hanging baskets, and authorize their President to execute an Encroachment Removal and Maintenance Agreement with the City of San Diego.

KEY STAKEHOLDERS AND PROJECTED IMPACTS: The key stakeholders for the project are businesses and residents located in the Project Area along with visitors downtown.

BACKGROUND

This proposed Project advances the Visions and Goals of the Downtown Community Plan and the Objectives of the Centre City Redevelopment Project by:

000983

- improving existing water and sewer lines, streets, sidewalks, parkways, and lighting in the public right-of-way; and continued participation in the enhancement of the public transit system;
- revitalizing India Street by providing new paving, sidewalks, plants, and street furniture on India Street, the major north/south arterial through the Little Italy community; and
- enhancing public rights-of-way by providing new paving, plants, sidewalks, public art and street furniture.

DESCRIPTION OF IMPROVEMENTS: The concrete planters with water dishtray are to be made of extremely durable concrete with Mediterranean designs, finishes and colors (Attachment D). The 22-inch hanging baskets are to be mounted on the streetlights with a simple, elegant double hanger that will be manufactured to specifically fit the existing streetlights (Attachment E). Six single hangers with baskets of identical design will be provided for the corners of a few buildings.

MAINTENANCE AGREEMENT FOR IMPROVEMENTS: The LIA represents the property owners in Little Italy via PBid. As an association, they will execute an Encroachment Removal and Maintenance Agreement with the City of San Diego. There will be no maintenance costs to the City of San Diego or the Corporation.

COST ESTIMATE OF IMPROVEMENTS: The estimate for the hangers and baskets delivered to the site is \$34,571. The estimate for the concrete planters with water dishtray delivered to the site is \$143,119, for a total cost of \$177,691, including a 5% contingency.

SCHEDULE:

The following is a summary of the projected schedule for bidding and execution of the project:

- | | |
|---|--------------------|
| • Advertise Bids per Corporation Vendor Purchasing Policy | July 16, 2007 |
| • Close Bids | July 30, 2007 |
| • Approval of Agency to Award Bid | September 25, 2007 |
| • Deliver Material to Little Italy Association | October 2007 |
| • Little Italy Association Completes Work | December 2007 |

FINDINGS: State Law requires that certain findings be made by the Council and Agency prior to the expenditure of Agency funds for public facilities/improvements. Attachment F recites the proposed findings with respect to the benefits of the proposed improvements to the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project, the unavailability of other means to finance the proposed improvements, how the proposed improvements will assist in the elimination of blight conditions inside the Project Area, and that the proposed improvements are consistent with the Implementation Plan adopted for the Project pursuant to Health and Safety Code 33490.

EQUAL OPPORTUNITY: Equal Opportunity Outreach shall be performed pursuant to the Corporation's Equal Opportunity for vendor purchasing. The accepted bidder shall provide a Work Force Report and an Equal Employment Opportunity Plan.

Bids shall be obtained from at least three vendors, if such vendors are reasonably available in the community. Vendors are to be identified as a certified Minority Business Enterprise, Woman Business Enterprise, Disadvantaged Business Enterprise, or Disabled Veteran Business Enterprise if they possess valid certification. If, for any reason, fewer than three bids are obtained or the lowest bidder is not selected, a record justifying such action shall be made and kept on file.

Bid solicitation identifying subcontracting and vendor opportunities will be advertised in the *San Diego Transcript*, *Asian Journal*, *Enlace*, and *San Diego Voice and Viewpoint*. For additional outreach, the Corporation will use its extensive database of certified contractors, Blue Hornet, and www.ccdc.com

Environmental Impact: This activity is not a project, and therefore, not subject to California Environmental Quality Act ("CEQA") pursuant to the CEQA Guidelines §15060 subsection (c)(3).

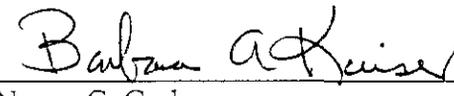
CONCLUSION: The proposed landscape improvements will implement a number of goals from the Downtown Community Plan. The improvements will provide a unique amenity for the residents, businesses, and visitors to the Little Italy District. The improvements will be maintained by the LIA, at no cost to the City of San Diego.

Respectfully submitted,

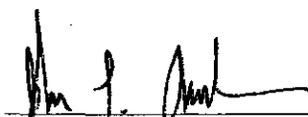
Concurred by:



Tara Lake
Associate Planner

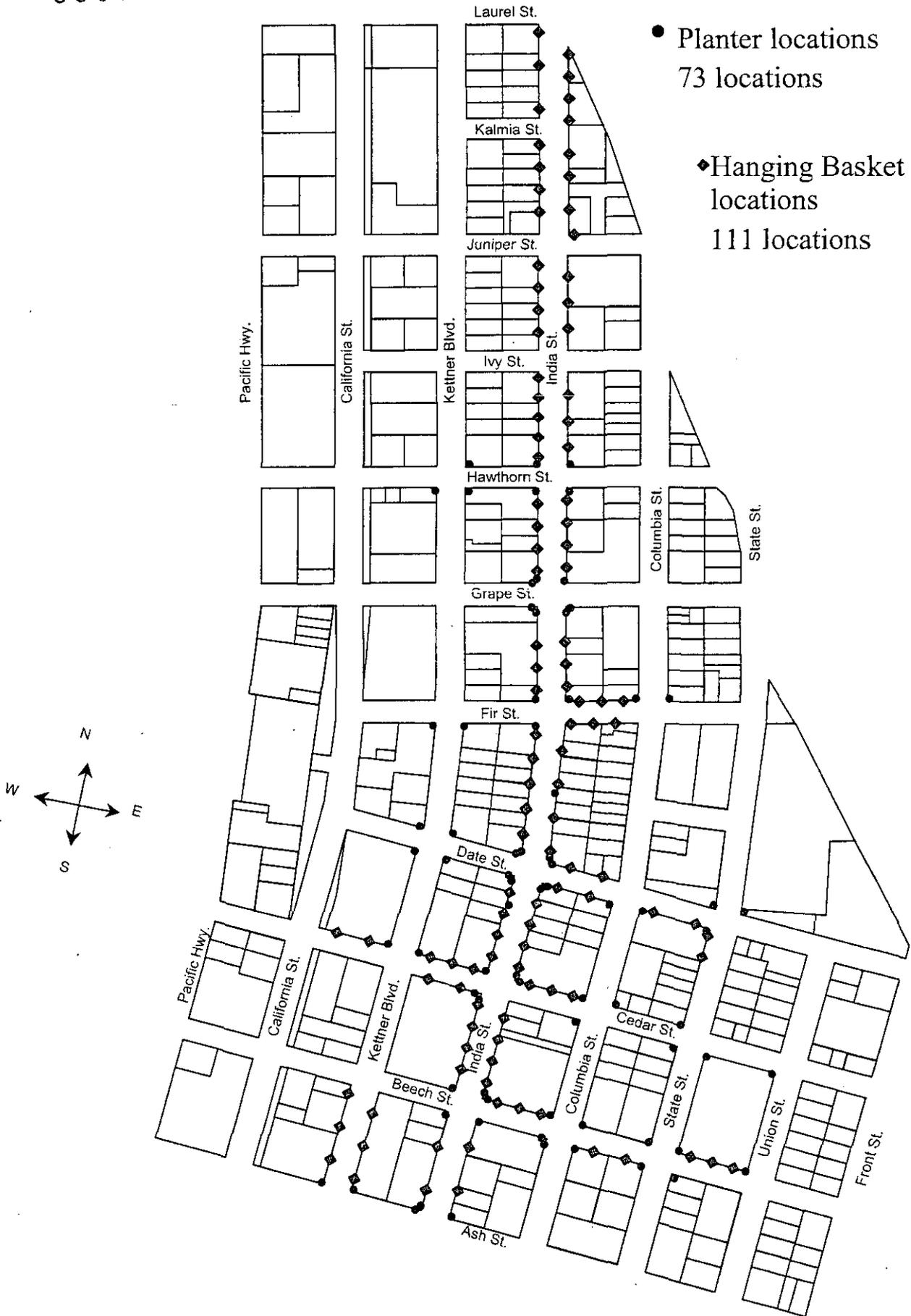


for Nancy C. Graham
President



John Anderson
Senior Project Manager-Public Works

- Attachments:
- A - Location map of concrete planters and hanging baskets
 - B - Little Italy Association Resolution for plants and maintenance
 - C - Cost estimate
 - D - Concrete planter details
 - E - Hanging basket details
 - F - Findings





RESOLUTION

The Little Italy Association at the June 5, 2007 Board of Directors meeting reviewed the following items and approved the following resolution.

1. The Little Italy Association (LIA) shall spend an amount not to exceed \$20,000.00 from LIA MAD Assessment District revenues and/or donations to provide plant materials and soils for concrete planters and hanging baskets provided by the Centre City Development Corporation (CCDC).
2. LIA shall complete the planting of the concrete planters and hanging baskets provided by CCDC within 60 days of their placement by the contractor.
3. LIA shall provide maintenance for all of the concrete planters and hanging baskets provided by Centre City Development Corporation throughout the district, indefinitely.
4. LIA shall allocate necessary personnel to provide for watering and maintenance of the plants in the concrete planter and hanging baskets provided by CCDC, (estimated at one full time employee five days per week.)
5. LIA shall hang the hanging baskets once the plant material has grown to appropriate size in a nursery provided by the Association.
6. LIA shall work with Centre City Development Corporation staff and its contractor on the implementation of this beautification project.
7. LIA authorized Board President, Steven Galasso, to execute an Encroachment Removal and Maintenance Agreement with the City of San Diego.

Vote: Ayes-28
Nays- 1

Little Italy Association of San Diego

1668 Columbia Street • San Diego, California 92101
P 619-233-3898 • F 619-233-4866 • mail@littleitalysd.com • www.littleitalysd.com

ATTACHMENT "B"

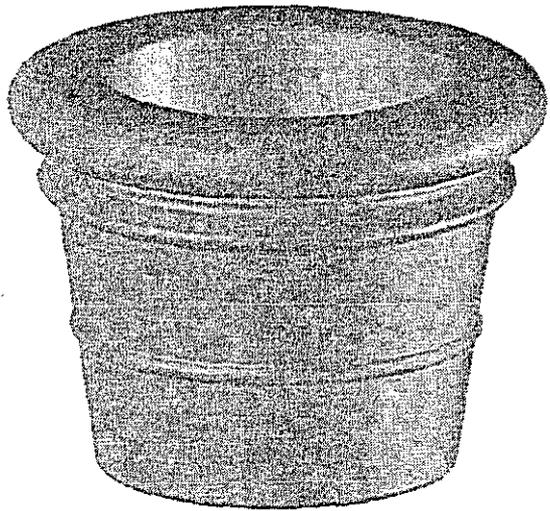
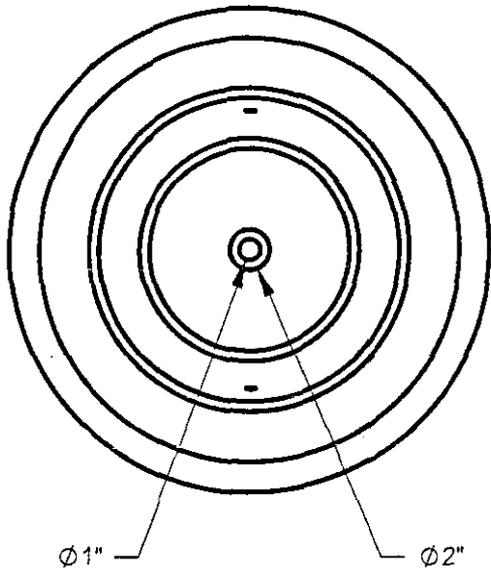
000989

LITTLE ITALY CONCRETE PLANTERS HANGING BASKETS

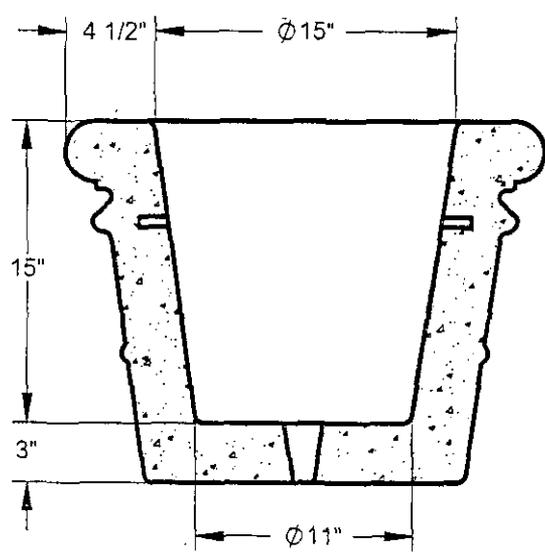
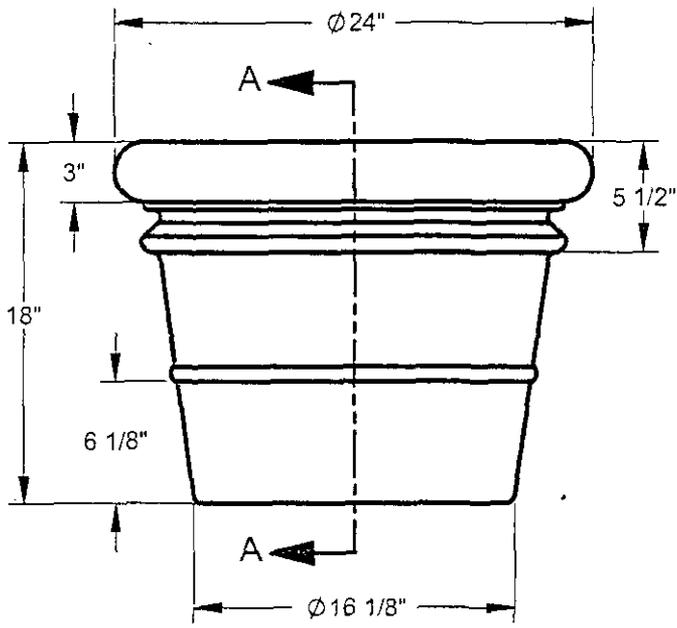
ITEM	UNITS	QTY.	PRICE/UNIT	TOTALS
22" HANGING BASKET	EACH	228	60	13,680
TWO-WAY LAMP POST HANGER BRACKET	EACH	111	165	18,315
WALL MOUNTED SINGLE HANGER BRACKET	EACH	6	155	930
PLANTER, DETAIL M1, W/ WATER TRAY	EACH	24	540	12,960
PLANTER, DETAIL M2, W/ WATER TRAY	EACH	24	605	14,520
PLANTER, DETAIL M3, W/ WATER TRAY	EACH	26	620	16,120
PLANTER, DETAIL M4, W/ WATER TRAY	EACH	3	695	2,084
PLANTER, DETAIL T1, W/ WATER TRAY	EACH	23	470	10,810
PLANTER, DETAIL T2, W/ WATER TRAY	EACH	23	625	14,375
PLANTER, DETAIL T3, W/ WATER TRAY	EACH	25	775	19,375
PLANTER, DETAIL L1, W/ WATER TRAY	EACH	23	470	10,810
PLANTER, DETAIL L2, W/ WATER TRAY	EACH	23	625	14,375
PLANTER, DETAIL L3, W/ WATER TRAY	EACH	25	835	20,875
			SUBTOTAL	169,229
			5% CONTINGENCY	8,461
			TOTAL ESTIMATED COST	177,691

000991

San Diego
Precast Concrete
Incorporated



COLOR: FENNEL GREEN



SECTION A-A

SEPARATE WATER TRAY INCLUDED

DETAIL- T1

San Diego
Precast Concrete
Incorporated

9702 PROSPECT AVENUE
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 24" X 18" TERRA COTTA

WEIGHT: 275 LBS

CONCRETE: 6,000 PSI

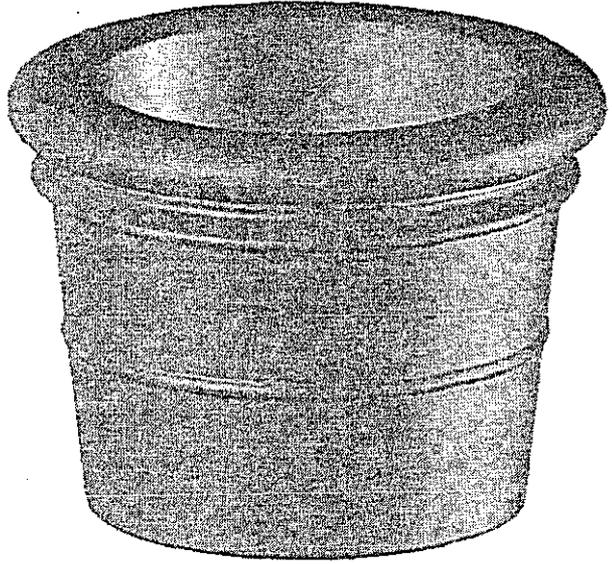
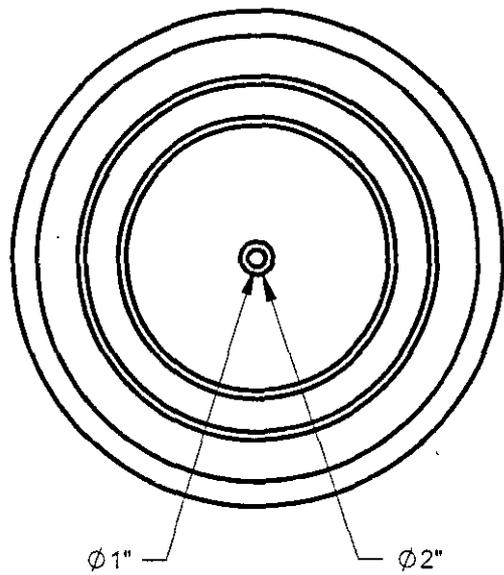
WWW.SDPC.COM

PART NO:

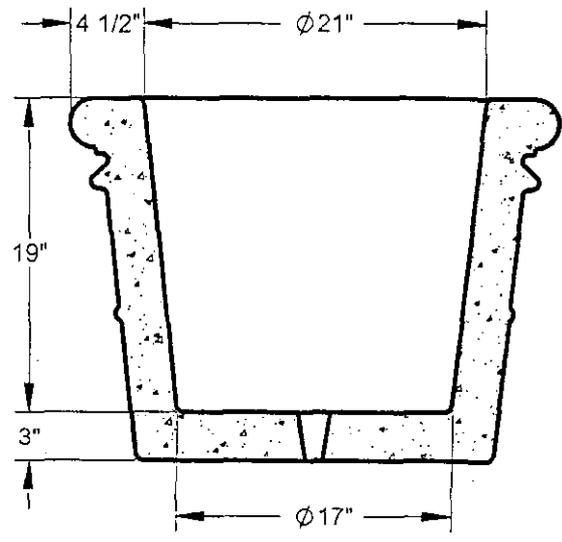
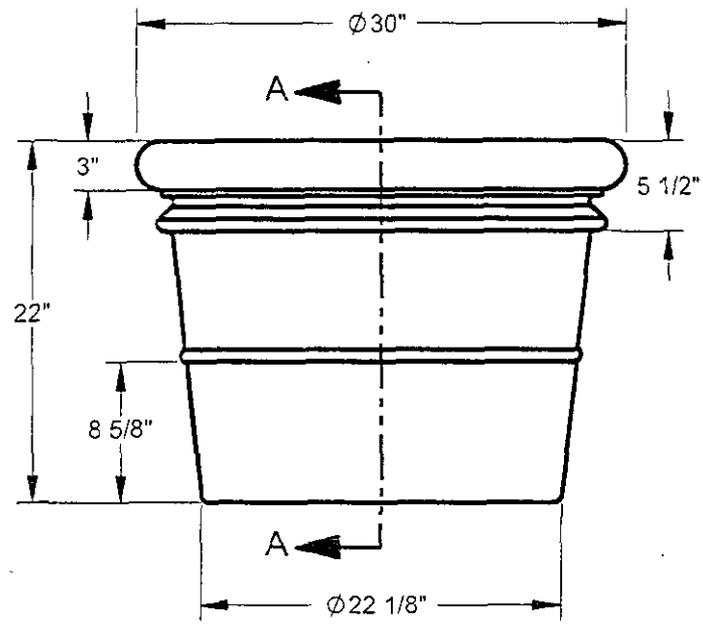
P2418RTERRA

000992

San Diego
Precast Concrete
Incorporated



COLOR: FENNEL GREEN



SECTION A-A

SEPARATE WATER TRAY INCLUDED

DETAIL- T2

San Diego
Precast Concrete
Incorporated

9702 PROSPECT AVENUE
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 30" X 22" TERRA COTTA

WEIGHT: 462 LBS

CONCRETE: 6,000 PSI

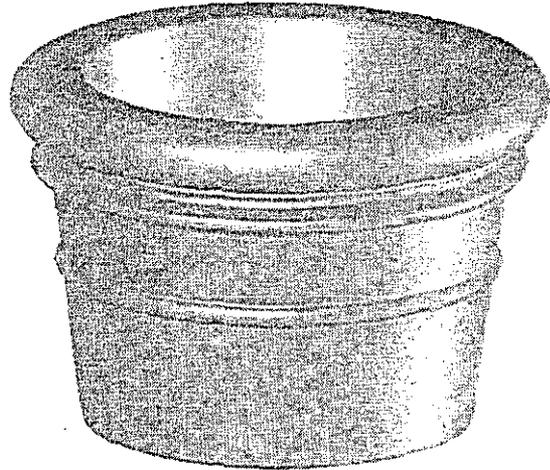
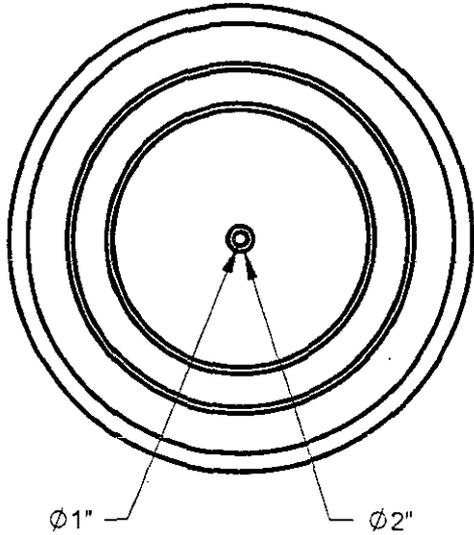
WWW.SDFC.COM

PART NO:

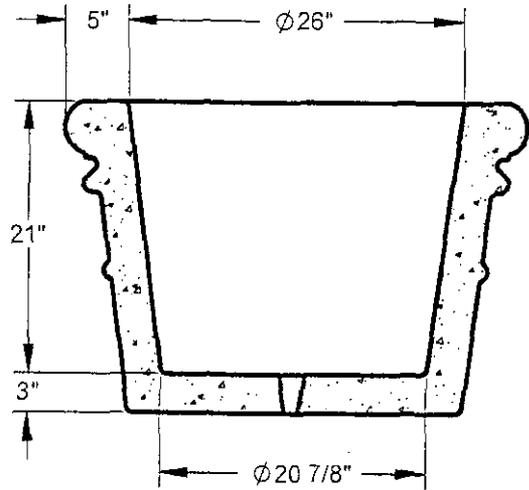
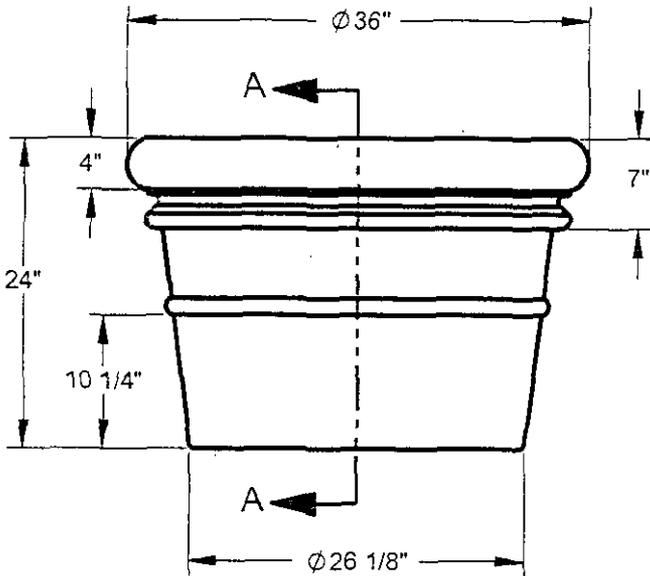
P3022RTERRA

000993

San Diego
Precast Concrete
Incorporated



COLOR: FENNEL GREEN



SECTION A-A

SEPARATE WATER TRAY INCLUDED

DETAIL- T3



9702 PROSPECT AVENUE
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 36" X 24" TERRA COTTA

WEIGHT: 680 LBS

CONCRETE: 6,000 PSI

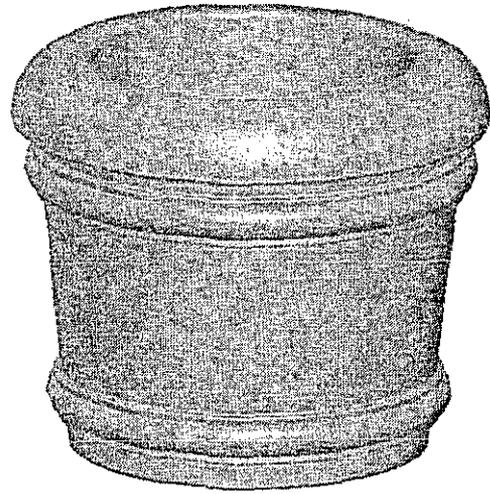
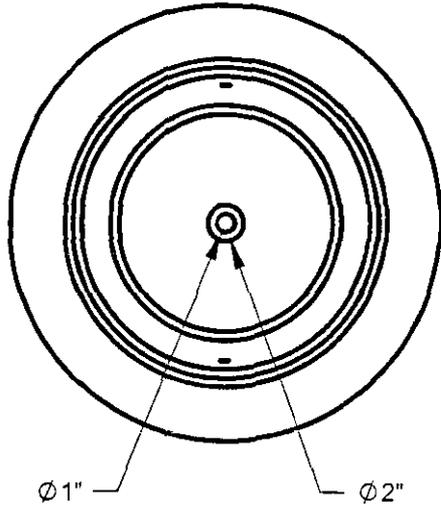
WWW.SDPC.COM

PART NO.

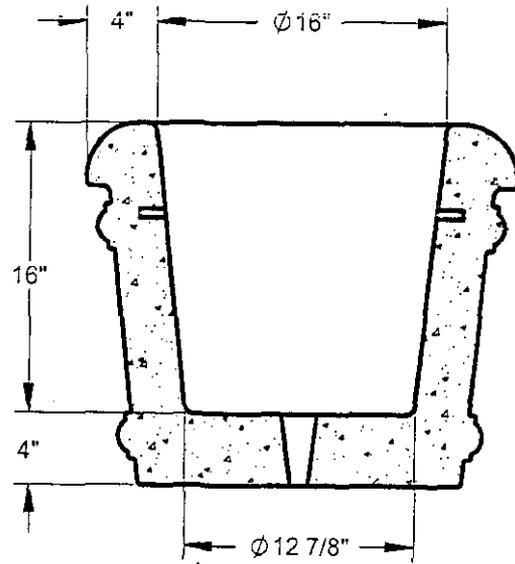
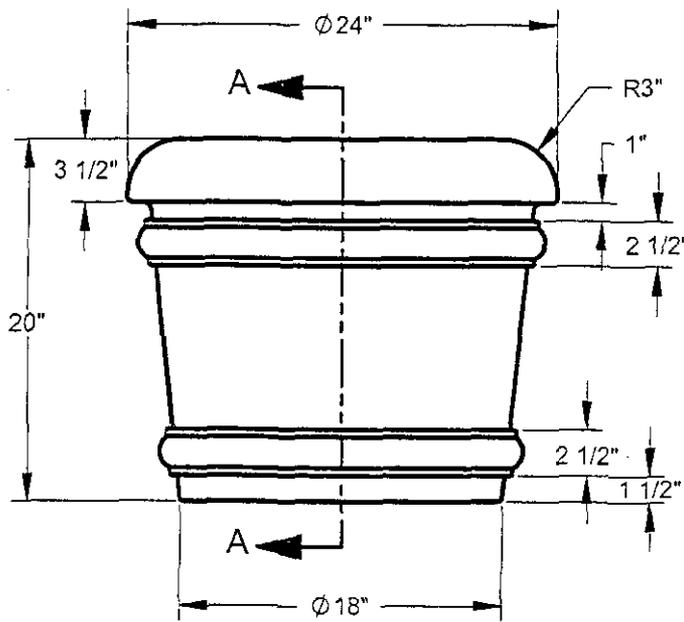
P3624RTERRA

000994

San Diego
Precast Concrete
Incorporated



COLOR: ETRUSCAN TILE



SECTION A-A

SEPARATE WATER TRAY INCLUDED

DETAIL- L1

San Diego
Precast Concrete
Incorporated

9702 PROSPECT AVENUE
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 24" X 20", MEDITERRANEAN, LA JOLLA

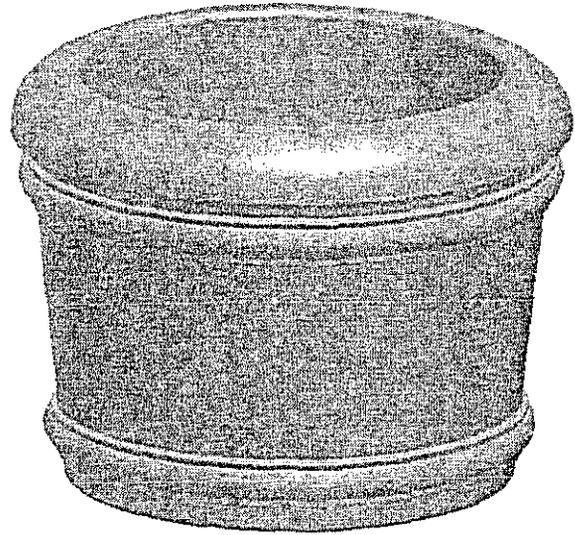
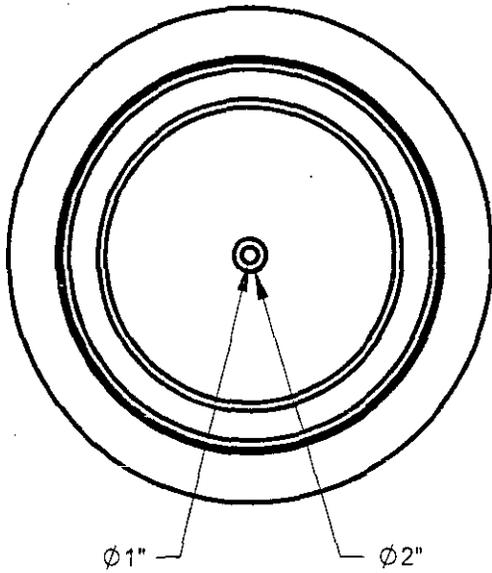
WEIGHT: 347 LBS

CONCRETE: 6,000 PSI

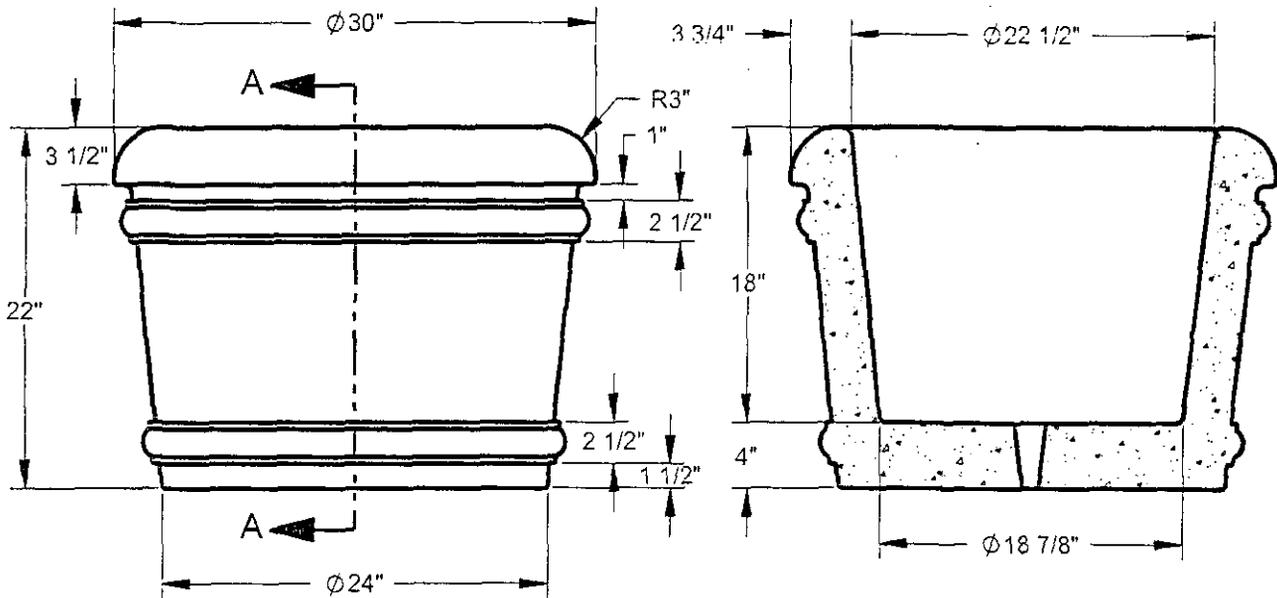
WWW.SDPC.COM

PART NO:

P2420RLAJOLLA



COLOR: ETRUSCAN TILE



SECTION A-A

SEPARATE WATER TRAY INCLUDED

DETAIL- L2



9702 PROSPECT AVENUE
 SANTEE, CA 92071
 Phone: (619) 449-6810
 Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 30" X 22", MEDITERRANEAN, LA JOLLA

WEIGHT: 538 LBS

CONCRETE: 6,000 PSI

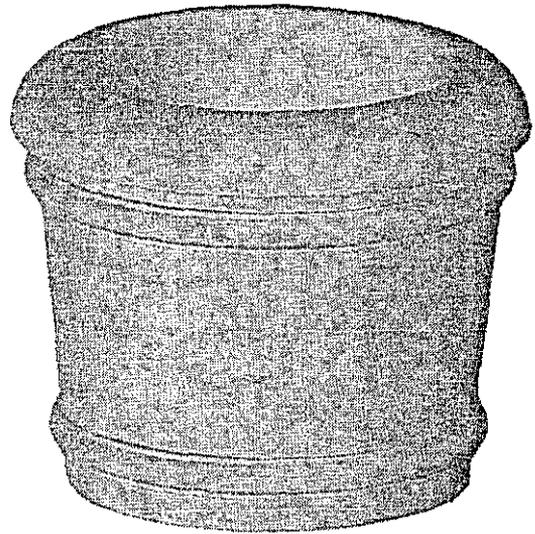
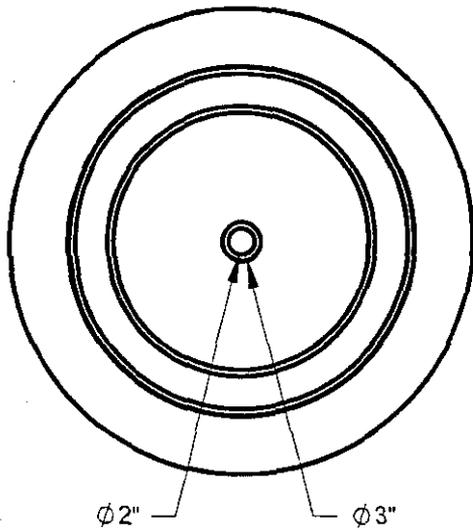
WWW.SDPC.COM

PART NO:

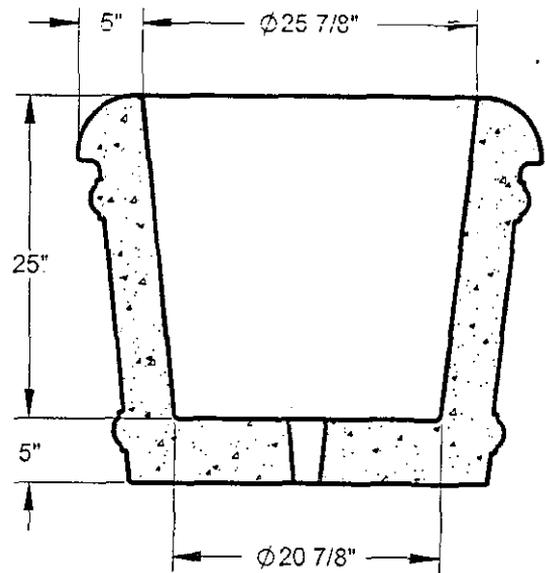
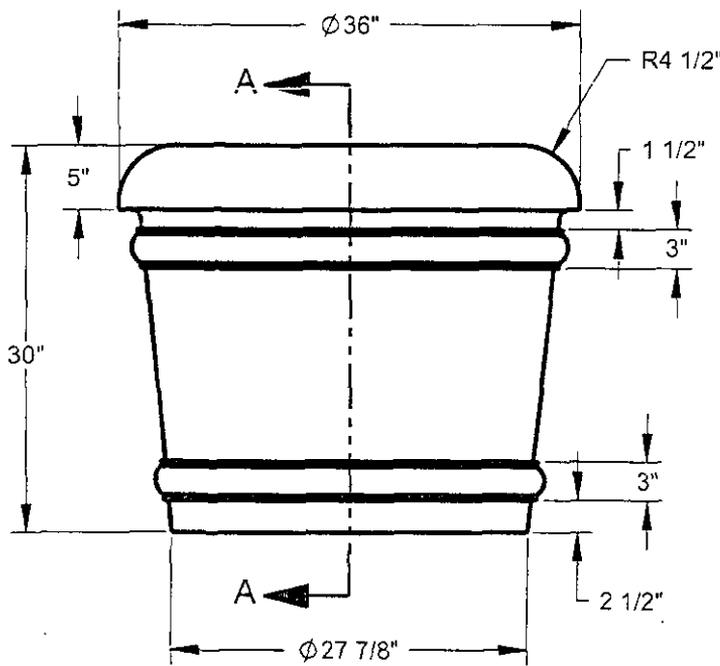
P3022RLAJOLLA

000996

San Diego
Precast Concrete
Incorporated



COLOR: ETRUSCAN TILE



SECTION A-A

SEPARATE WATER TRAY INCLUDED

DETAIL- L3

San Diego
Precast Concrete
Incorporated

9702 PROSPECT AVENUE
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 36" X 30", MEDITERRANEAN, LA JOLLA

WEIGHT: 1,050 LBS

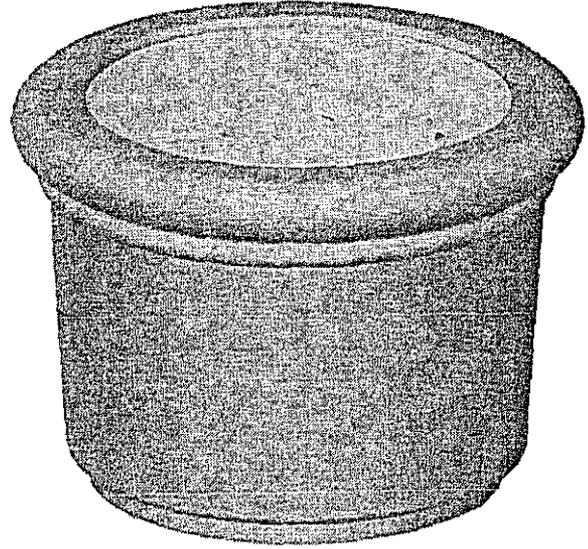
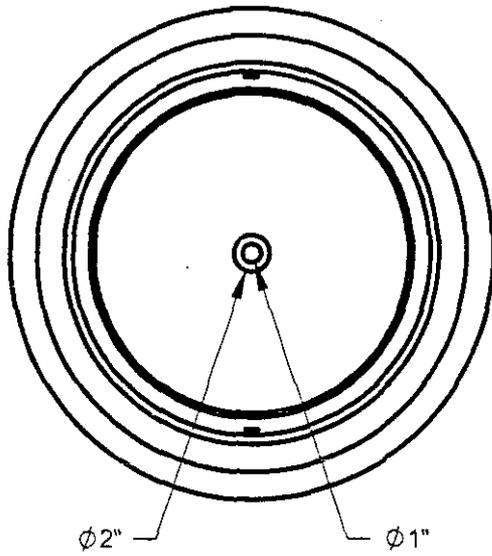
CONCRETE: 6,000 PSI

WWW.SDPC.COM

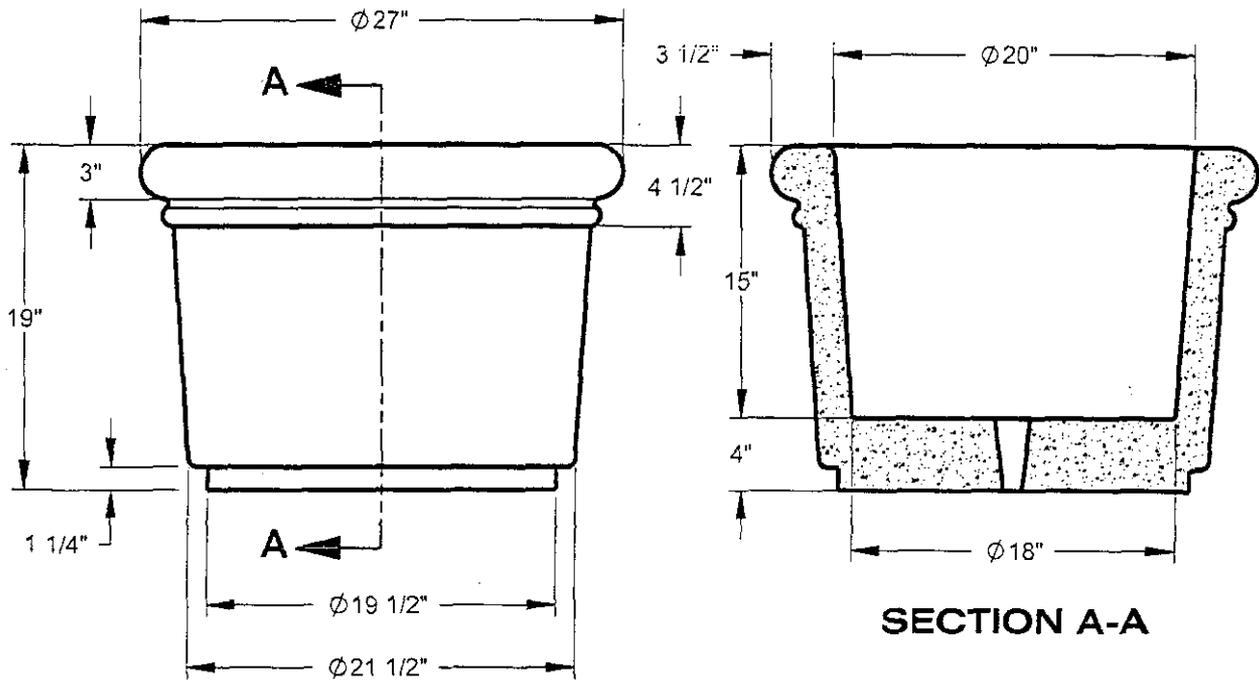
PART NO:

P3630RLAJOLLA

000997



COLOR: SOMBERO BUFF (TAN)



SEPARATE WATER TRAY INCLUDED

DETAIL M-1



9702 PROSPECT AVENUE
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 27" X 19" MEDITERRANEAN

WEIGHT: 320 LBS

CONCRETE: 6,000 PSI

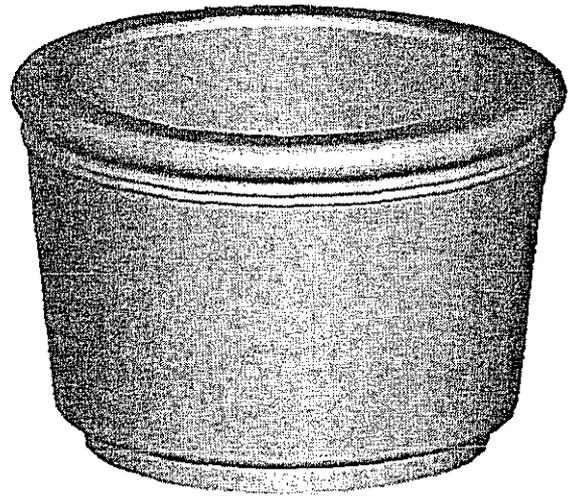
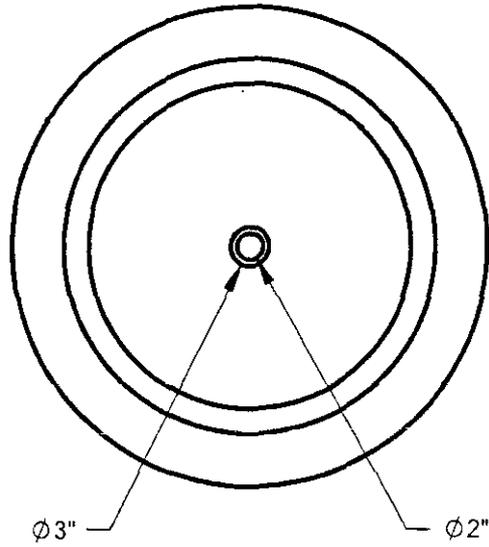
WWW.SDPC.COM

PART NO:

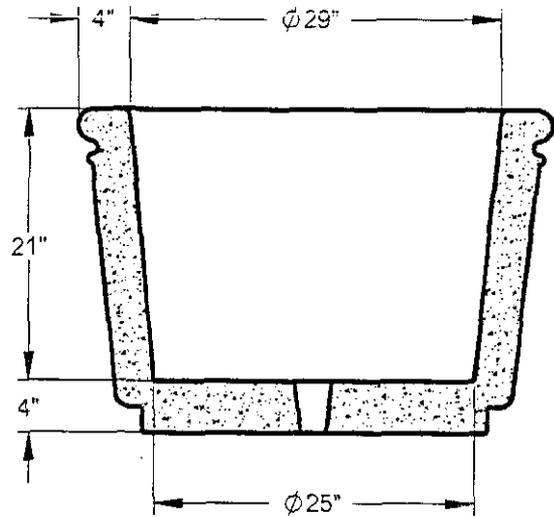
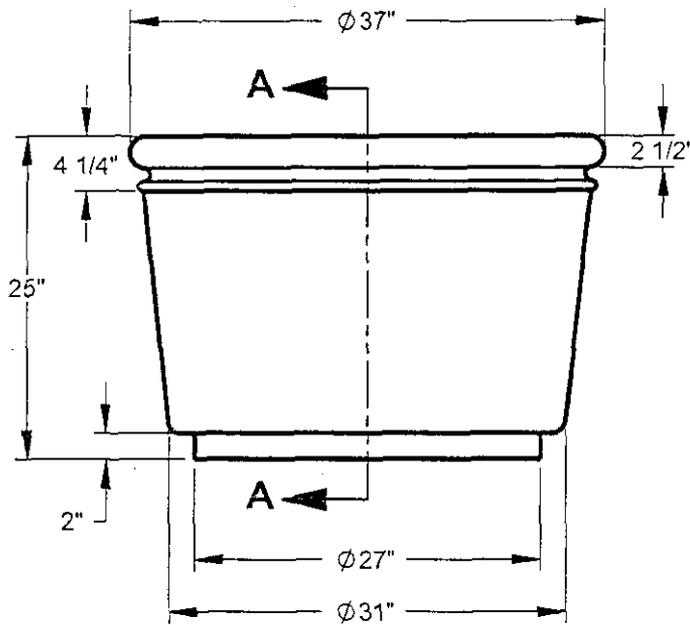
P2719MDT

000998

San Diego
Precast Concrete
Incorporated



COLOR: SOMBERO BUFF (TAN)



SECTION A-A

SEPARATE WATER TRAY INCLUDED

DETAIL- M2

San Diego
Precast Concrete
Incorporated

9702 PROSPECT AVENUE
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 37" X 25" MEDITERRANEAN

WEIGHT: 790 LBS

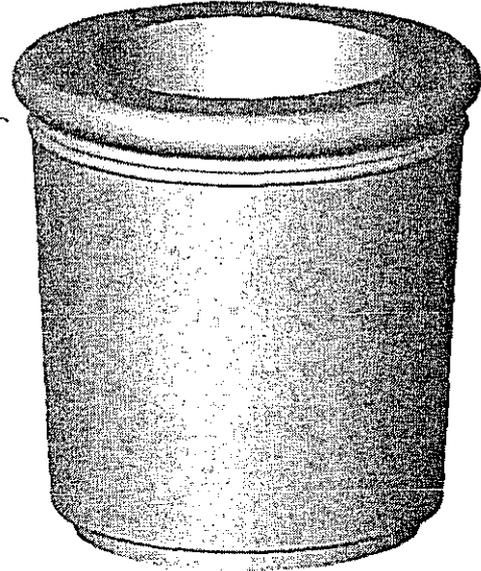
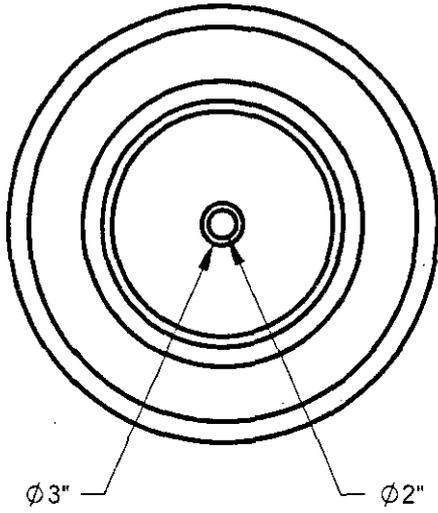
CONCRETE: 6,000 PSI

WWW.SDPC.COM

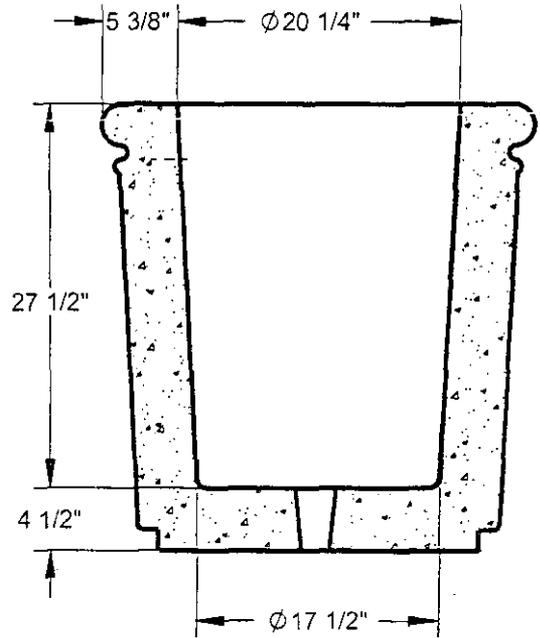
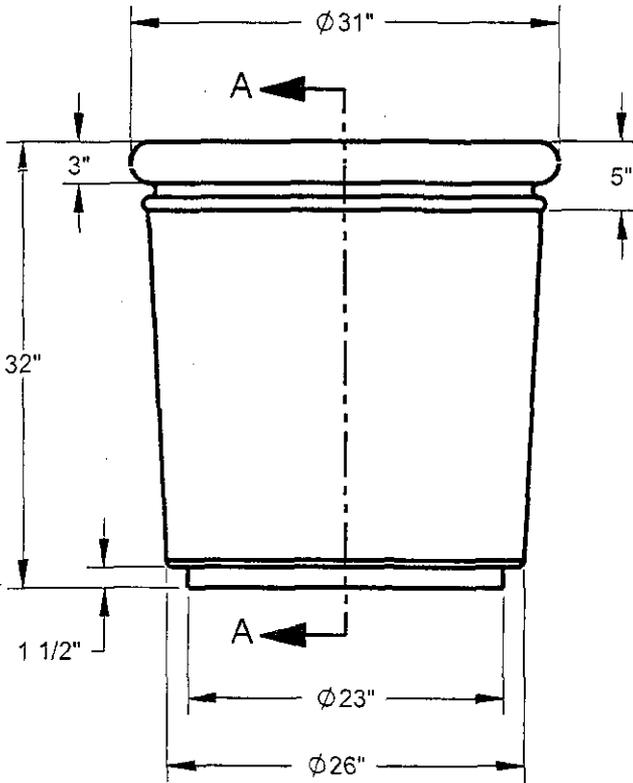
P3725MDT

000999

San Diego
Precast Concrete
Incorporated



COLOR: SOMBERO BUFF (TAN)



SECTION A-A

SEPARATE WATER TRAY INCLUDED

DETAIL- M3

San Diego
Precast Concrete
Incorporated

9702 PROSPECT AVENUE
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 31" X 32" MEDITERRANEAN

WEIGHT: 920 LBS

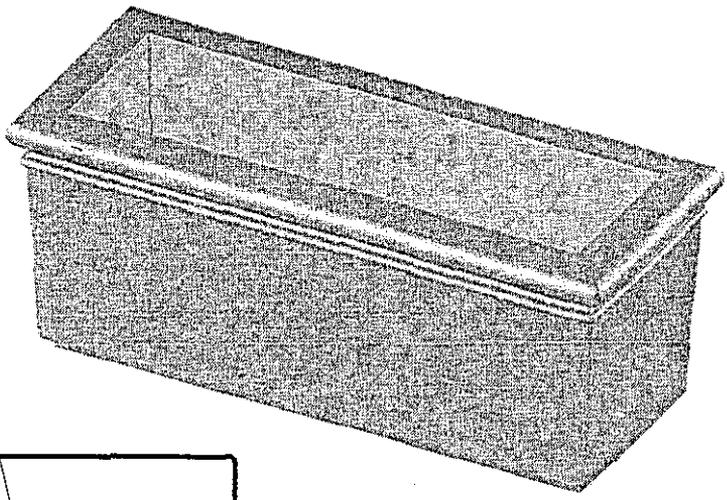
CONCRETE: 6,000 PSI

WWW.SDPC.COM

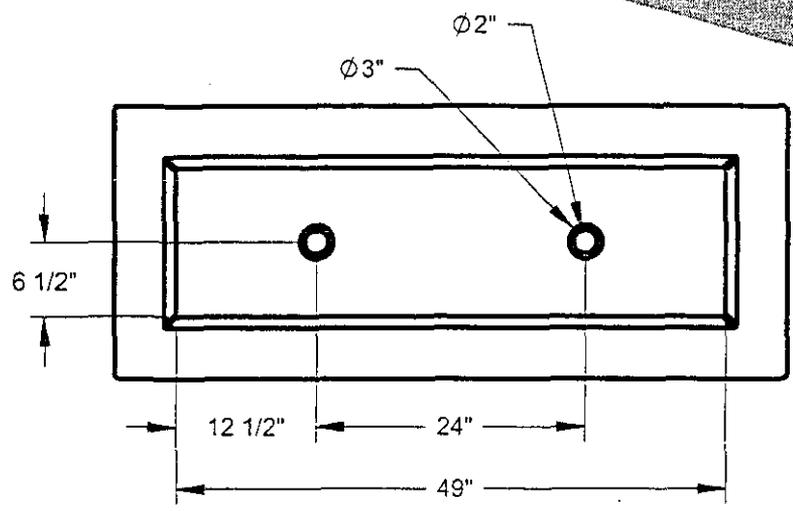
PART NO:

P3132MDT

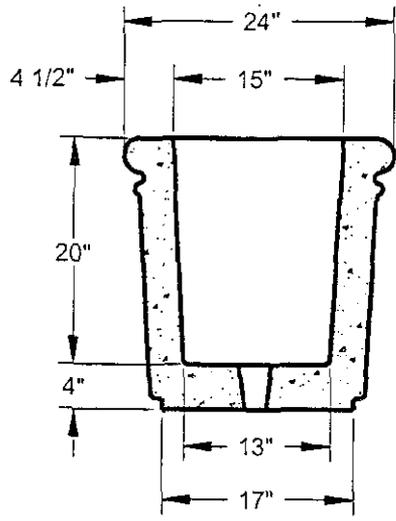
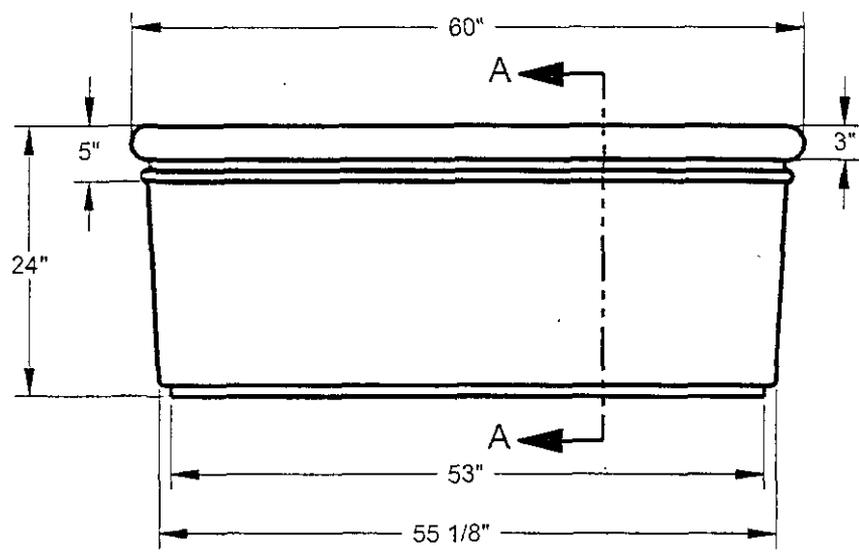
001000



COLOR: SOMBERO BUFF (TAN)



DETAIL- M4



SECTION A-A

SEPARATE WATER TRAY INCLUDED



9702 PROSPECT AVENUE,
SANTEE, CA 92071
Phone: (619) 449-6810
Fax: (619) 449-5805

NPCA CERTIFIED PLANT

DESCRIPTION:

PLANTER, 24" X 60" X 24, MEDITERRANEAN

WEIGHT: 1,170 LBS

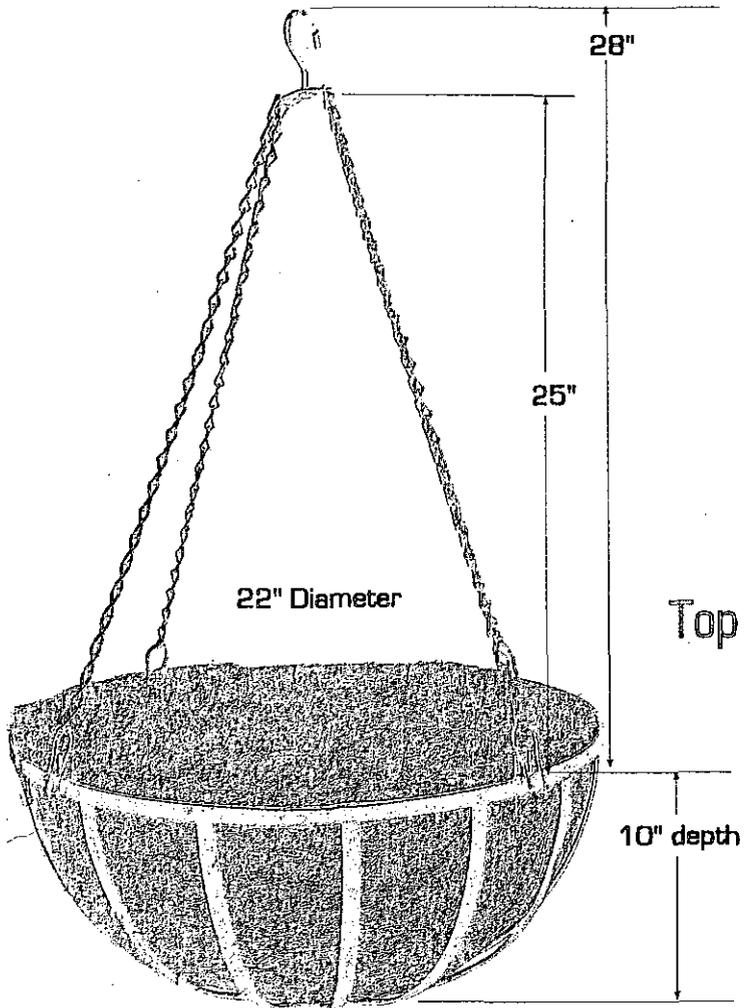
CONCRETE: 6,000 PSI

WWW.SDPC.COM

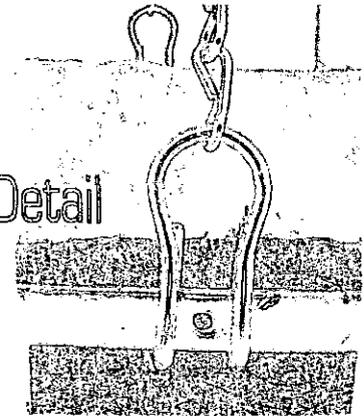
PART NO:

P246024MDT

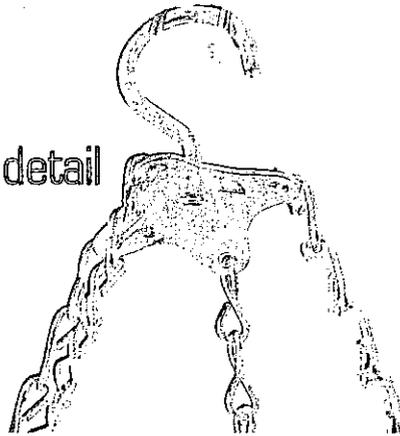
ATTACHMENT E



Basket attachment Detail



Top mount detail



DETAIL "HB-1"

REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED

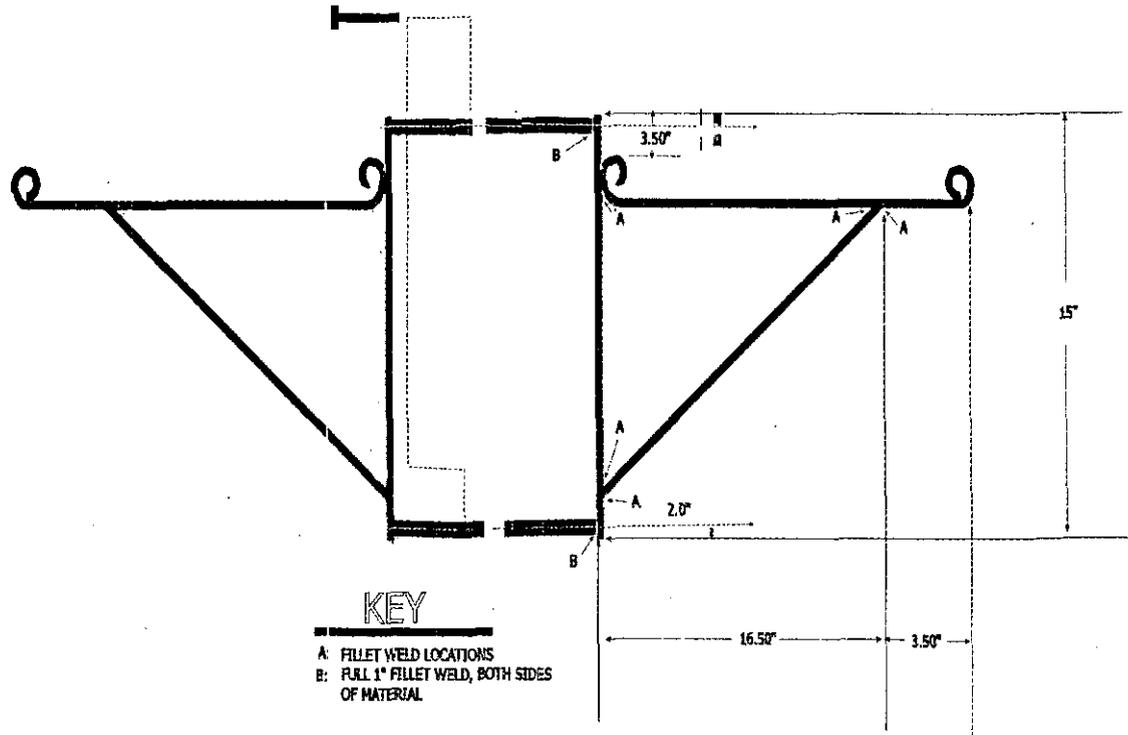
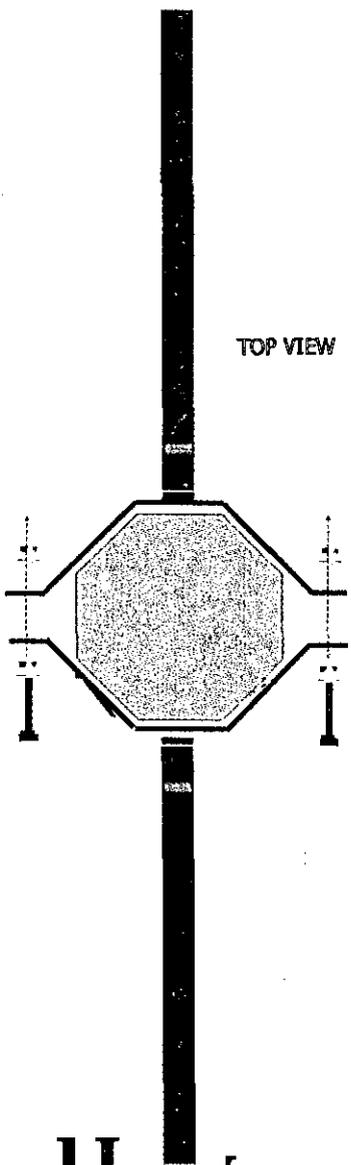
Hooks & LATTICE
A GARDEN MARKET

DRAWN T. Bingham	DATE	DESCRIPTION		
CHECKED		22" English Garden Flat Steel Hanging Basket 22" Diameter with thick molded coir liner and four heavy duty chains.		
QA		SIZE	FSCM NO.	DWG NO. B-HB-22
MFG	APPROVED	SCALE NTS		REV
				SHEET

001001

001002

REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED



KEY
 A: FILLET WELD LOCATIONS
 B: FULL 1" FILLET WELD, BOTH SIDES OF MATERIAL

DETAIL "BB-1"

Hooks & Lattice
 A GARDEN MARKET

DRAWN T. Bingham	DATE	DESCRIPTION			
CHECKED		Two-way Scroll Arm Lamp Post Bracket For Hanging Baskets Bracket Constructed from flat bar steel, 1/4" X 1". Black Powder-Coat Finish			
QA		SIZE	FSCM NO.	DWG NO.	REV
MFG	APPROVED	SCALE		SHEET	

ATTACHMENT F

FINDINGS

SUBJECT IMPROVEMENTS:

REQUEST TO BID THE PURCHASE OF CONCRETE PLANTERS AND HANGING BASKETS FOR THE LITTLE ITALY BEAUTIFICATION AND REHABILITATION PROJECT TO BE PLACED ON INDIA, ASH, BEECH, CEDAR, DATE, FIR, AND HAWTHORN STREETS -- LITTLE ITALY REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT

I. FINDINGS OF BENEFIT

The subject public fixtures for which the Redevelopment Agency of the City of San Diego (Agency) proposes to pay will benefit the Centre City Redevelopment Project Area or the immediate neighborhood in which the Project area is located in that:

- A. These public fixtures are within the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project, adjacent to the under-developed properties and /or properties that have been designated as historic and will not likely be redeveloped in the near future.
- B. New improvements are planned for the area bounded by Ash and Laurel streets, California and Front streets.
- C. The new fixtures will enhance and beautify portions of the Little Italy Redevelopment District for the benefit of nearby users, merchants and residents.
- D. The installation of the public fixtures will act as a catalyst, providing an incentive for private investment in the rehabilitation of the areas.

II. NO OTHER REASONABLE MEANS OF FINANCING

There are no other reasonable means available to the community for financing the subject improvements for which the Agency proposes to pay in that:

City of San Diego

- A. The Fiscal Year 2008 Budget for the City of San Diego (City) increased approximately 12.9% from \$2.556 billion to \$2.886 billion. Over the last several years, as the City's Capital Improvement Program has grown and revenues have leveled off, the City has developed phase funding to use available cash and minimize the issuance of bond proceeds. This is a means whereby large projects may be budgeted and contracted for in an efficient manner that maximizes the City's use of available funds. The Fiscal Year 2008 Budget reflects General Fund revenues and expenditures of \$1.1 billion, representing an increase of \$828 million or an 8.1% increase over the Fiscal Year 2007 Budget. The General Fund Budget also includes 7,053 positions, a decrease of 465 positions over the Fiscal Year 2007 Budget.
- B. The City's capital improvement budget is funded primarily with water and sewer fees, developer impact fees, grant funds, enterprise fund revenues, Facility Benefit Assessment funds, Gas Tax and Transnet funds. The Fiscal Year 2008 Capital Improvement Program CIP Budget totals \$454.6 million, an increase of \$160.9 million from Fiscal Year 2007. The Fiscal Year 2008 CIP Budget provides for the sewer upgrade of the City's Metropolitan and Municipal Wastewater System, water projects, Parks and Recreation projects, library projects, transportation projects and special projects. Despite the increase in the City's CIP Budget, it is estimated that the City's deferred maintenance and capital needs, excluding Water and Sewer, may be at least \$800 to \$900 million.
- C. The Agency's Fiscal Year 2008 Program Budget was adopted on May 15, 2007. The CIP and the Agency's Budget were developed in accordance with City and Council Policy, and each project activity was evaluated and incorporated in the respective budgets. Projects are funded based on need and the availability of appropriate funding sources. The City's CIP Budget lacks funding to provide for certain public improvement projects in the downtown redevelopment areas.

III. ELIMINATION OF BLIGHTING CONDITIONS

The payment of funds toward the cost of the purchase and placement of the subject public fixtures will assist in the elimination of one or more blighting conditions inside the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project and the proposed improvements are consistent with the Implementation Plan adopted for the Project pursuant to Health and Safety Code 33490, in that:

- A. The improvements will enhance and beautify the public right-of-way.
- B. The improvements will foster a sense of a livable community encouraging the public to move into and reside in the Little Italy area, thereby contributing to the removal of economic blight.
- C. The improvements will act as a catalyst, providing incentive for private investment in businesses and private improvements in the area, thereby contributing to the removal of economic blight.

001007

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO1. CERTIFICATE NUMBER 337
(for auditor's use only) 10/9
N/ATO:
CITY ATTORNEY2. FROM: (ORIGINATING DEPARTMENT)
CENTRE CITY DEVELOPMENT CORPORATION3. DATE
September 4, 2007

4. SUBJECT:

Little Italy Concrete Planters and Hanging Baskets – Request to Accept Bid, Authorize Funding, and Make Findings
– Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project
(Companion to Redevelopment Agency)5. Primary Contact: (Name, Phone & Mail Sta.)
Tara Lake, Associate Planner,
(619) 533-7173, MS 51D6. Secondary Contact (Name, Phone & Mail Sta.)
John Anderson, Senior Project Manager –
Public Works, (619) 533-7140, MS 51D7. Check BOX if REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	DEPT.	ORGANIZATION	OBJECT ACCOUNT	JOB ORDER	C.I.P. NUMBER	AMOUNT	9. ADDITIONAL INFORMATION/ESTIMATED COST:
							<u>Fiscal Impact:</u>

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED
1	CCDC President	Nancy Graham <i>BATC</i>	6/29/07	9	EOC	<i>R. Lewis for CG</i>	7/5/07
2	CCDC Vice President/CFO	Frank Alessi <i>Mac Alonsagan</i>	6/29/07	10	EAS	<i>Meyers</i>	7/10/07
3	Environmental Review	Beverly Schroeder or Brad Richter <i>BATC</i>	6/29/07	11	City Attorney		
4	Asst. Dir., CPCI, Redevelopment	Janice L. Weirick <i>JLW</i>	7/2/07	12	Originating Department	Project Manager <i>J. Anderson</i>	
5	City Planning & Community Development Director	William Anderson <i>Will for WA</i>	7/2/07	13	Vice President Real Estate Operations	Barbara Kaiser <i>BATC</i>	6/29/07
6	Deputy Chief Operating Officer	Jim Waring <i>JW</i>	7/2/07	14			
7	Chief Operating Officer	<i>[Signature]</i>	7/4/07	15	Docket Coord. _____ Council Liaison	<i>[Signature]</i>	9/10/07
8					COUNCIL PRESIDENT <i>ms</i>	<input type="checkbox"/> Spob <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO _____ COUNCIL DATE: 10/9/07	

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

DOCKET OF: October 9, 2007

11a. STAFF RECOMMENDATIONS:

That the City Council:

- Make certain findings that the proposed improvements benefit the Centre City Project Area or the immediate neighborhood in which the Project is located; that no other reasonable means of financing the improvements are available to the community; that the payment of funds for such improvements will assist in the elimination of blight conditions inside the Project Area; and that the proposed improvements are consistent with the Implementation Plan adopted for the Project Area pursuant to Health and Safety Code Section 33490.

EXECUTIVE SUMMARY SHEET

REPORT NO. CCDC-07-25
CCDC-07-13

DATE REPORT ISSUED: October 3, 2007
ATTENTION: Honorable Chair and Members of the Redevelopment Agency
Council President and City Council
Docket of October 9, 2007
ORIGINATING DEPT.: Centre City Development Corporation
SUBJECT: Little Italy Concrete Planters and Hanging Baskets (India, Ash,
Beech, Date, Fir, and Hawthorn streets) – Request to Accept Bid,
Authorize Funding, and Make Findings – Little Italy
Redevelopment District of the Expansion Sub Area of the Centre
City Redevelopment Project
COUNCIL DISTRICT: District 2
STAFF CONTACT: Tara Lake, Associate Planner,
John Anderson, Senior Project Manager – Public Works

REQUESTED ACTION: That the Redevelopment Agency (“Agency”) and the City Council (“Council”) take actions as necessary for the purchase of concrete planters and hanging baskets for placement in the Little Italy District.

STAFF RECOMMENDATION: That the Corporation recommend that the Agency:

- Authorize the expenditure of up to \$200,000 for concrete planters and hanging baskets for placement in the Little Italy District; and
- Make certain findings that the proposed improvements benefit the Centre City Project Area or the immediate neighborhood in which the Project is located; that no other reasonable means of financing the improvements are available to the community; that the payment of funds for such improvements will assist in the elimination of blight conditions inside the Project Area; and that the proposed improvements are consistent with the Implementation Plan adopted for the Project Area pursuant to Health and Safety Code Section 33490.

And that the Council:

- Make certain findings that the proposed improvements benefit the Centre City Project Area or the immediate neighborhood in which the Project is located; that no other reasonable means of financing the improvements are available to the community; that the payment of funds for such improvements will assist in the elimination of blight conditions inside the Project Area; and that the proposed improvements are consistent with the Implementation Plan adopted for the Project Area pursuant to Health and Safety Code Section 33490.

EXECUTIVE SUMMARY: The improvements will enhance the Little Italy District with plants in concrete planters and hanging baskets in selected areas (Attachment A). The improvements will be permanently maintained by the Little Italy Association (“LIA”) per LIA resolution (Attachment B). The LIA operates as a property-based enhancement district (“PBid”) for the Little Italy District. The Corporation will purchase the concrete planters and hanging baskets. The LIA will supply all plants and labor for installation of the plant materials and maintenance of the project. The Corporation will bid the material purchase per Corporation vendor purchasing policy. As the material purchase is not bid yet, this report requests funding not to exceed \$200,000. The Corporation vendor purchasing and contracting policy requires Agency approval prior to execution of the bid. The cost estimate is \$177,691 (Attachment C).

FISCAL CONSIDERATIONS: The improvements are funded in the 2008 Budget under “Little Italy Public Improvements Project.” The total available funding is \$1,899,000. The requested funding is not to exceed \$200,000. The planted pots and baskets are the first phase of the project. The remaining funds of \$1,699,000 will be used in a second phase for new sidewalks, signs, new trees, and other improvements. The second phase is currently in design.

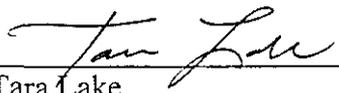
CENTRE CITY DEVELOPMENT CORPORATION RECOMMENDATION: The Centre City Development Corporation Board approved this item unanimously on July 25, 2007.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: On June 5, 2007, the LIA voted in favor of purchasing and installing the plant material for the concrete planters and hanging baskets with earmarked LIA funds, to assign resources for the permanent maintenance of all planters and hanging baskets, and authorize their President to execute an Encroachment Removal and Maintenance Agreement with the City of San Diego.

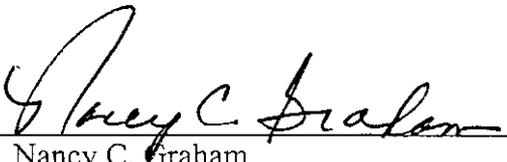
KEY STAKEHOLDERS AND PROJECTED IMPACTS: The key stakeholders for the project are businesses and residents located in the Project Area along with visitors downtown.

Respectfully submitted,

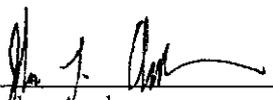
Concurred by:



Tara Lake
Associate Planner



Nancy C. Graham
President



John Anderson
Senior Project Manager-Public Works

001011

RESOLUTION NUMBER - _____

ADOPTED ON _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO MAKING CERTAIN FINDINGS WITH RESPECT
TO THE INSTALLATION OF CONCRETE PLANTERS AND
HANGING BASKETS IN LITTLE ITALY.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project, [Project]; and

WHEREAS, the Centre City Development Corporation [CCDC] is responsible for implementing redevelopment projects in the Project Area; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency approved the Implementation Plans for the period of July 2004 – June 2009 for the Centre City and Expansion Sub Area of the Centre City Redevelopment Projects; and

WHEREAS, these public fixtures are within the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project, adjacent to the underdeveloped properties and /or properties that have been designated as historic and will not likely be redeveloped in the near future; and

WHEREAS, new improvements are planned for the area bounded by Ash and Laurel Streets, California and Front Streets; and

WHEREAS, the new fixtures will enhance and beautify portions of the Little Italy Redevelopment District for the benefit of nearby users, merchants and residents; and

WHEREAS, the installation of the public fixtures will act as a catalyst, providing an incentive for private investment in the rehabilitation of the areas; and

001012 WHEREAS, the payment of funds toward the cost of the purchase and placement of the subject public fixtures will assist in the elimination of one or more blighting conditions inside the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project and the proposed improvements are consistent with the Implementation Plan adopted for the Project pursuant to Health and Safety Code 33490; and

WHEREAS, the Agency has duly considered all conditions of the proposed payment for the concrete planters and hanging baskets and believes that the payment by the Agency of all or part of the cost of the concrete planters and hanging baskets are in the best interest of the City and health, safety, morals, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local law requirements: NOW, THEREFORE,

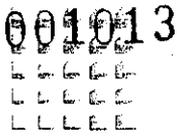
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That it finds and determines that the installation of concrete planters and hanging baskets for which the Agency proposes to pay is of benefit to the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment; that the Agency finds and determines that no other reasonable means for financing the Project are available to the community and that the Project will assist in eliminating one or more blighting conditions inside the Project Area, and that the Project is consistent with the Centre City Plans for July 2004 - June 2009, on file in the office of the Secretary to the Agency pursuant to California Health and Safety Code Section 33490.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By _____

Deputy General Counsel



VIA ELECTRONIC & PERSONAL DELIVERY

DATE: September 10, 2007

FROM: Nancy Graham, President and Chief Operating Officer
Centre City Development Corporation

SUBJECT: Little Italy Concrete Planters and Hanging Baskets

TO: Alex W. Sachs, Deputy City Attorney

I apologize for the delay in responding to your Memorandum of July 18, 2007 concerning the Little Italy Concrete Planters and Hanging Baskets. I am resubmitting the documents to move this item forward to the Redevelopment Agency/Council and wanted to respond to the items raised in your Memorandum.

1. Bid Process Used – The purpose of flower pots is similar to the process used for other items in the nature of “street furniture,” i.e., trash cans, benches, etc. in that we are purchasing from a vendor with no labor involved. CCDC has utilized this bid process for items such as this many times in accordance with our EO Handbook, Chapter 9, Vendor Purchasing. I received a legal opinion from our corporate counsel Helen Peak that this process was appropriate.
2. I also obtained a legal opinion from Redevelopment Agency Counsel Murray Kane regarding the appropriateness of the expenditure and the finding blight issue. I am attaching a copy of Attorney Kane’s legal opinion for your information.
3. With regard to the finding of “no other reasonable means of financing,” Attorney Kane also advised me that the finding refers to the Agency’s funds, not Little Italy’s. The Redevelopment Agency appropriately partners on the capital items which are legal, while the local neighborhoods such as Little Italy enter into agreements to provide the operating and maintenance items since the Agency cannot. Again, Attorney Kane advised me that the Agency’s finding of “no other reasonable means” was both appropriate and legal in this instance. I would invite you to speak with Mr. Kane directly on this issue.
4. The issue of purchasing “street furniture” items such as trash cans, benches, flower pots/baskets, etc. is certainly NOT unique to Little Italy. CCDC recently completed some additional streetscape work in Little Italy and the pots/baskets are the final layer. We plan on working with other downtown neighborhoods such as East Village, El Cortez Hill, Gaslamp Quarter, etc. on similar projects. In fact, all of those neighborhood organizations are quite anxious for CCDC to move forward with these improvements within their areas.

001014

Alex W. Sachs
September 10, 2007
Page Two

5. This item was taken to the CCAC, the downtown citizens' advisory group, where it passed unanimously, with the primary comments being "how soon can we get ours." The item was also approved unanimously by the CCDC Board.
6. Finally, CCDC has been working with Carol Leone from the City Attorney's Office on this matter for some time. We provided the City Attorney's Office as is our usual procedure (in this case Carol Leone) with a copy of our proposed staff report which sets forth the project, procedure and process in complete detail. Ms. Leone reviewed and signed off on the process.

I hope that this additional information clarifies this matter and that you will sign off on the 1472 that is being re-routed. If you have any additional questions, please contact me directly.

NCG:lly

Attachments

Pc: Honorable Mayor Jerry Sanders
Honorable City Councilmembers
Andrea Tevlin, Independent Budget Analyst
Michelle Strauss, Policy Advisor
Huston Carlyle, Esquire
Helen Peak Holmes, Esquire
Murray Kane, Esquire
CCDC Board of Directors
Barbara Kaiser
Frank Alessi
David Allsbrook

Nancy Graham

From: Murray O. Kane [murray@kbblaw.com]
Sent: Wednesday, July 18, 2007 3:06 PM
To: Nancy Graham
Cc: Fred Maas; Frank Alessi
Subject: RE: Flower Pots

Nancy,

In my opinion the Redevelopment Agency is authorized to expend funds for the installation of flower pots within the public rights of way as a part of the street improvement program of the Agency. California Health & Safety Code Section 33445 expressly authorizes the Agency to "pay ...for ... the cost of the installation and construction of any building, facility, structure, or other improvement that is publicly owned..." upon certain findings being made. This authority is not limited to buildings or structures, nor is there any statutory requirement for the improvement to be permanently affixed or structurally integrated within a building. The flower pots in question would constitute an "improvement" within the meaning of Section 33445, and this would be consistent with the widespread administrative practice in California of redevelopment agencies paying for these kinds of street improvements or street furniture pursuant to this statutory authority.

As to the question of blight, the relevant finding under Section 33445 is that the payment of funds will assist in the elimination of one of more blighting conditions inside the project area. Blight is not required to be established on a parcel by parcel basis. The fact that the adjoining parcel may have been redeveloped does not mean this finding cannot be made. It would be reasonable for the Agency to find that the expenditures made to improve the streets may assist in attracting the kind of capital investment needed to combat economic as well as physical blight within the overall project area.

There is additional legal authority in the redevelopment law for the subject expenditure in the form of Section 33421, which authorizes redevelopment agencies to install or construct "streets, utilities, parks, playgrounds and other public improvements necessary for carrying out in the project area the redevelopment plan" in connection the development of building sites. There is no blight finding of any kind required under this section.

Please let me know if you have any further questions on this matter.

Murray O. Kane, Esq.

KANE, BALLMER & BERKMAN

515 S. Figueroa Street

Los Angeles, California 90071

Office: 213-452-0121

Cell: 213-216-1194

Fax: 213-625-0931

CAUTION: CONFIDENTIAL. THIS E-MAIL MAY CONTAIN INFORMATION PROTECTED BY THE ATTORNEY-CLIENT WORK PRODUCT PRIVILEGE. It is intended only for the person to whom it is addressed. If you are not the intended recipient or their agent, then this is notice to you that dissemination, distribution or copying of this document is prohibited. If you received this message in error, please call us at once and destroy the document.

9/8/2007

001017

Nancy Graham

From: David Allsbrook
Sent: Friday, July 20, 2007 1:49 PM
To: Nancy Graham
Cc: Barbara Kaiser
Subject: FW: Legal Opinion on Bid Process for Little Italy Flower Pots

Nancy: I asked John to provide me with the information you requested on the bid procedures we are using for the flower pots and baskets. Please see his response below. In addition, Carol Leone from the City Attorney's office reviewed this proposed bidding procedure early on and approved it. David

From: John Anderson
Sent: Friday, July 20, 2007 12:16 PM
To: David Allsbrook
Subject: RE: Legal Opinion on Bid Process for Little Italy Flower Pots

David:

It is per EO Handbook, Chapter 9, Vendor Purchasing. In summary of main points:

"Purpose- Document policy guidelines and procedures for the evaluation and selection of vendors for the purchase of supplies, materials and equipment."

We are using vendor purchasing on this project as purchasing material only, with no labor involved. Litter receptacles were purchased this way, and the curtain at the Balboa Theater.

1) All purchase orders with one vender exceeding \$50,000 require Board approval prior to execution (which applies to this project, the report is "not to exceed" \$200,000 as we don't know the exact amount at this time. We also need findings by the Agency/Council, as a public works project also before the bid can be awarded, which is the way the report is written. The report is written for Agency approval of the authorization of funds "not to exceed \$200,000"

2) EO is per Chapter 5

3) Award is to lowest quote meeting the specifications., if for any reason, fewer than 3 quotes are obtained when required or the lowest quote is not selected, a record justifying such actions shall be made and written or attached to the Request to Purchase form (RTP).

In the report, it lists in EO (out of our handbook):

EQUAL OPPORTUNITY: Equal Opportunity Outreach shall be performed pursuant to the Corporation's Equal Opportunity for vendor purchasing. The accepted bidder shall provide a Work Force Report and an Equal Employment Opportunity Plan.

Bids shall be obtained from at least three vendors, if such vendors are reasonably available in the community. Vendors are to be identified as a certified Minority Business Enterprise, Woman Business Enterprise, Disadvantaged Business Enterprise, or Disabled Veteran Business Enterprise if they possess valid certification. If, for any reason, fewer than three bids are obtained or the lowest bidder is not selected, a record justifying such action shall be made and kept on file.

Bid solicitation identifying subcontracting and vendor opportunities will be advertised in the *San Diego*

7/27/2007