

REDEVELOPMENT AGENCY OF THE
CITY OF SAN DIEGO

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO (i) AUTHORIZING THE EXPENDITURE OF \$ 191,048 FOR THE CONSTRUCTION OF THE FOURTH AND BEECH INTERIM PARKING LOT AND SITE IMPROVEMENTS LOCATED ON THE PARTIAL BLOCK BOUNDED BY ASH AND BEECH STREETS, AND FOURTH AND FIFTH AVENUES IN THE CORTEZ REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT AREA; (ii) AUTHORIZING THE CENTRE CITY DEVELOPMENT CORPORATION, ON BEHALF OF THE AGENCY, TO ADVERTISE AND RECEIVE BIDS AND TO ADMINISTER A CONTRACT FOR THE CONSTRUCTION OF THE IMPROVEMENTS; (iii) AUTHORIZING THE AGENCY EXECUTIVE DIRECTOR OR DESIGNEE TO AWARD THE CONTRACT FOR CONSTRUCTION OF THE IMPROVEMENTS; (iv) AUTHORIZING THE AGENCY EXECUTIVE DIRECTOR OR DESIGNEE TO ENTER INTO AND EXECUTE THE CONTRACT FOR CONSTRUCTION OF THE IMPROVEMENTS; AND (v) MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATED TO THE EXPENDITURE OF AGENCY FUNDS FOR THE CONSTRUCTION OF THE IMPROVEMENTS, IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTION 33445.

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 Centre City Redevelopment Project Area (Project Area); and

WHEREAS, the Centre City Development Corporation (Corporation) is responsible for implementing redevelopment projects in the Project Area; and

WHEREAS, the Redevelopment Plan for the Project Area at Section 440.2 authorizes the Agency to cause the construction of public improvements, including improvements to motor vehicle parking facilities, and at Section 110.1 states that the objectives for the Project Area include, among other things, accommodating parking needs in a manner which will reduce the negative impact of parking needs on the environmental quality of the area and strengthen the economic base of downtown through the installation of needed public improvements, including transit and parking facilities, to stimulate new commercial, residential, employment and economic growth, and to improve the circulation of people and vehicles; and

WHEREAS, in order to implement the Redevelopment Plan for the Project Area, the Agency, pursuant to Resolution No. R-04405 with date of final passage June 19, 2009, approved the Fourth Implementation Plan for the Project Area for the period of July 2009 through June 2014 (Implementation Plan), in accordance with Section 33490 of the California Health and Safety Code; a copy of the Implementation Plan is on file with the Agency Secretary as Document No. D-04405e; and

WHEREAS, the Implementation Plan identifies the need to contribute to blight removal by improving public rights-of-way, providing new paving, landscaping and sidewalks within the Project Area; and

WHEREAS, consistent with the Implementation Plan and the Redevelopment Plan for the Project Area, the Corporation proposes the installation of certain public improvements within the Project Area called the Fourth and Beech Interim Parking Lot and Site Improvements Project, located on the partial block bounded by Ash and Beech Streets, and Fourth and Fifth Avenues in the Cortez Redevelopment District of the Sub Area of the Project Area, and consisting of the installation of an interim asphalt public-parking lot with lights, installation of a

storm water collection/filtering system, and removal of one abandoned driveway and adjustment of the existing curb and gutter to match the two 24 feet wide driveways to the parking lot, replacing dirt with decomposed granite in the public right-of way adjacent to the site, along with other minor improvements (Improvements); and

WHEREAS, Agency funds in the amount of \$191,048 are available in the Agency's Fiscal Year 2011 Cortez Public Improvement line item to pay for the total cost of construction of the Improvements; and

WHEREAS, the Agency, by and through the Corporation, now proposes to advertise and receive bids for the construction of the Improvements, to have authorization to award the construction contract for the Improvements, to enter into a construction contract for the Improvements, to implement, administer and manage the construction of the Improvements, and to contribute an amount up to \$191,048 from the Project Area's tax increment funds to pay for the cost of construction of the Improvements; and

WHEREAS, after having duly considered the actions described above and the Agency's proposed financial contribution for the construction of the Improvements, the Agency finds that the actions and the payment by the Agency of the costs of the Improvements are of primary benefit to the Project Area and are in the best interests of the Project Area, the City of San Diego (City) and the 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 Redevelopment Agency of the City of San Diego, as follows:

1. That the Agency authorizes the expenditure of a total amount not to exceed \$191,048 from the Fiscal Year 2011 Budget for the Project Area to pay for the cost of construction of the Improvements located on the partial block bounded by Ash and Beech streets,

and Fourth and Fifth avenues within the Cortez Redevelopment District of the Expansion Sub Area of the Project Area.

2. That the Agency authorizes the Corporation, on behalf of the Agency, to advertise and receive bids for the construction of the Improvements.

3. That the Agency authorizes the Agency Executive Director or designee to award the construction contract to the lowest responsible bidder for the construction of the Improvements provided that the bids are within the established allocation of \$191,048, that the construction contract shall not exceed \$191,048, and that all other public contracting requirements are met.

4. That the Agency authorizes the Agency Executive Director or designee to enter into and execute the construction contract with the lowest responsible bidder for the construction of the Improvements.

5. That the Agency authorizes the Corporation, on behalf of the Agency, to administer the construction contract for the construction of the Improvements.

6. That the Agency authorizes the Agency Executive Director or designee to execute all other documents on behalf of the Agency that are necessary and appropriate to carry out and implement the purposes set forth in this Resolution according to its terms, and to administer the Agency's obligations, responsibilities and duties to be performed hereunder.

7. That the Agency finds and determines each of the following as to the Project Area, in accordance with Section 33445 of the California Health and Safety Code:

(a) That the Improvements within the Project Area, for which the Agency proposes to pay using Agency funds from the Project Area, are of benefit to the Project Area by helping to eliminate blighting conditions within the Project Area, in that:

(1) The Improvements will replace inadequate public improvements and provide a catalyst for new development by implementing off-site improvements.

(2) The Improvements will increase the availability of parking to support downtown uses through a comprehensive strategy.

(3) The Improvements will “provide for future development” to contribute to blight removal as is included on page 4 of the work program of the Implementation Plan, pursuant to California Health and Safety Code section 33490.

(b) That no other reasonable means of financing construction of the Improvements are available to the City for which the Agency proposes to pay, in that:

(1) The City’s General Fund is dependent on the financial health of the local economy in addition to the State of California and nationwide economy. Some economic indicators are currently still lagging and could possibly restrain economic stabilization or expansion in the economy in Fiscal Year 2011. The improvement in municipal budgets appears to be also lagging the overall economy. Overall, the economic outlook remains very uncertain in the upcoming fiscal year.

(2) The City's General Fund Budget is funded from various sources, but the four largest revenue sources are property tax, sales tax, transient occupancy tax (TOT), and franchise fees, and account for approximately \$710.8 million or 64.8 percent of total General Fund revenues. The decline in these four major revenues in the Fiscal Year 2011 Adopted Budget accounts for approximately \$31.6 million or 94.3 percent of the total General Fund decline of \$33.5 million compared to the Fiscal Year 2010 Adopted Budget.

(3) In Fiscal Year 2011 sales tax is budgeted at \$187.5 million, which represents a decrease of \$22.7 million or 10.8 percent from the Fiscal Year 2010 Adopted

Budget due to the decline in per capita income and consumer spending, and the high unemployment rate in the City. TOT is budgeted at \$66.1 million, a decrease of \$9.8 million or 12.9 percent from the Fiscal Year 2010 Adopted Budget due to the decline in local tourism. Franchise fees are budgeted at \$67.2 million, a decrease of \$6.5 million or 8.9 percent from the Fiscal Year 2010 Adopted Budget due to a decline in refuse haulers tonnage.

(4) The City's Fiscal Year 2011 Adopted Budget reflects General Fund revenues and expenditures of \$1.10 billion, representing a decline of \$33.5 million or 3.0% over the Fiscal Year 2010 Adopted Budget. The Fiscal Year 2011 Adopted Budget includes 7,067.98 budgeted full time equivalent (FTE) positions, a decrease of 328.94 FTE positions over the Fiscal Year 2010 Budget. The net decrease in General Fund positions is primarily due to the reduction of 485.16 FTE positions as part of the revised Fiscal Year 2010 Budget approved by the City Council of the City of San Diego (Council) that has been incorporated in the Fiscal Year 2011 Adopted Budget. These reductions were to City's critical services including brownouts in the Fire Department, reductions in lifeguard positions, and reductions in library hours. If the City's revenues improve, then the City's first priority would be to restore those critical services funded by General Fund that have been reduced this year due to the loss of revenue in fiscal year 2011.

(5) The City's Fiscal Year 2011 Adopted Budget, approved by the Council in June 2010, includes reduced revenue projections adjusted for a continuation of slow economic growth and a continued constriction of economic activity. Growth in revenues is anticipated to be negative in most major revenue categories such as property tax, sales tax, TOT, and franchisee fees.

(6) The City's Capital Improvements Program (CIP) budget allocates existing funds and anticipated revenues to rehabilitate, restore, improve, enhance, and increase the City's capital facilities. This budget supports the design and construction of a wide range of infrastructure improvement projects and other significant capital infrastructure investments. The Fiscal Year 2011 CIP Adopted Budget totals \$299.6 million. This is a reduction of \$153.6 million or 33.9 percent from the Fiscal Year 2010 CIP Adopted Budget of \$453.2 million.

(7) Deferred capital projects remain one of the eight significant areas identified in the Five-Year Financial Outlook. Since Fiscal Year 2008, approximately \$142 million has been appropriated for facilities, streets, storm drain and other deferred capital projects, funded by proceeds from land sales, bond financing, and Proposition 1B funding. Another proposal for bond financing is anticipated to come before the Council in Fiscal Year 2012. Fiscal Year 2012 to continue efforts to address the City's approximately \$900 million backlog of deferred projects.

(8) The cost of the Improvements is approximately \$191,048. There are currently no funds allocated in the Fiscal Year 2011 Adopted CIP Budget to fund the Improvements.

(c) That the payment of Agency funds toward the cost of design and installation of the Improvements is consistent with the Implementation Plan, pursuant to section 33490 of the California Health and Safety Code, in that:

(1) The Improvements address the specific goals and objectives of the Implementation Plan, as indentified on Page 12 of the work program of the Implementation Plan, which states in pertinent part as follows: "increased availability of parking will attract greater development opportunities to the immediate area" and "enhance downtown residential living."

(2) By furthering the specific goals and objectives of the Implementation Plan, the Improvements and the Agency's payment therefore are a means to eliminate blight within the Project Area and will facilitate the objectives of the Redevelopment Plan for the Project Area.

APPROVED: JAN I. GOLDSMITH, General Counsel

By Monique R. Tayyab
Monique R. Tayyab
Deputy General Counsel

MRT:mm
12/08/2010
Or.Dept:CCDC
RA-2011-56
PL#2010-04832
Comp. R-2011-557

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of _____.

REDEVELOPMENT AGENCY

By _____
Jeannette Santos, Deputy Secretary

Approved: _____
(date)

JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director