

ITEM 1

OVERSIGHT BOARD FOR CITY OF SAN DIEGO REDEVELOPMENT SUCCESSOR AGENCY

DATE ISSUED: November 20, 2012

SUBJECT:

Report from the Successor Agency regarding a request for authorization to allow temporary access to Successor Agency properties for special events.

CONTACT/PHONE NUMBER: David Graham/236-6980

DESCRIPTIVE SUMMARY OF ITEM:

Adoption of a resolution:

Authorizing the Successor Agency to allow temporary access to its properties for special events subject to the terms and conditions of a Right of Entry Permit which shall include standard requirements for the benefit and protection of the Successor Agency's financial interests, provided that the organizer of the special event first obtains all approvals and permits required by law, until such time that the Long Range Property Management Plan is approved by the Oversight Board and the Department of Finance.

STAFF RECOMMENDATION:

Approve proposed action.

DISCUSSION:

Background

The Successor Agency (SA) is in the process of winding down the operations of the former Redevelopment Agency (RDA). On January 10, 2012, the City Council designated the City of San Diego (City) to serve as the SA to the former RDA for purposes of winding down the former RDA's operations. In the past, civic organizations and businesses have used former RDA and adjacent City-owned property for collaborative events and activities, such as the North Park Rocktoberfest, Linda Vista Multicultural Fair and San Diego Comic-Con International. Even with the elimination of the former RDA, requests continue to be made of the SA to allow use of the current SA properties for collaborative special events and activities. Recently, on October 16,

2012, the Oversight Board authorized access to a SA property for the 2012 North Park Rocktoberfest. At said meeting, the Oversight Board directed staff to return for authorization for temporary access on other SA properties for collaborative events and activities.

Examples of collaborative events or activities that have occurred over the last several years and have either come forward or are expected to come forward with requests for access to SA properties are presented below.

Morley Green, a 1.25 acre linear park located on the eastside of Linda Vista Road, has been used for the Linda Vista Multicultural Fair for several years, and the organizer has been diligently contacting SA staff to obtain access to the site for the upcoming 2013 Linda Vista Multicultural Fair. Within Downtown public parking facilities and undeveloped former RDA parcels reserved for public purpose are common locations for Downtown collaborative events and activities. In the past, the former Centre City Development Corporation (CCDC) issued temporary event permits and/or time-specific Right-of-Entry Permits and use agreements for special events. Some examples of Downtown collaborative events or activities are: Color Me Rad for a 5K Run/Walk Event, Monster Bash, Comic-Com International, the New School of Architecture annual design charrette, and Street Scene. Parcels that have been granted special event permits and/or time-specific Right-of-Entry Permits that Civic San Diego manages on behalf of the SA are: 1300 L Street ("Tailgate Park" Leased to Padres), 648 Market St. ("Park It On Market" Operated by Ace Parking), 289 6th Avenue ("6th & K Parkade" Operated by Ace Parking), 540 Eighth Avenue ("7th and Market" Parking Lot Operated by Sunset Parking), 1612 Sixth Avenue ("Cedar Gateway Garage" to be Operated by Ace Parking), 1101 G Street ("Park & Market" Lot Operated by Central Parking), 345 Beech St (Future Site of St. Joseph's Park; Operated by Ace Parking), and 310 Ash St. (Future Site of St. Joseph's Park; Operated by Ace Parking).

Pursuant to the proposed authorization, access would only be allowed subject to the terms and conditions of a Right of Entry Permit. Such terms and conditions would include standard provisions for the SA's benefit and protection, such as temporary access, insurance, indemnification and defense, and payment of a use or processing fee. The Right of Entry Permits for the special events would be issued by City departments or by Civic San Diego on a case by case basis with the associated fees assessed as appropriate for the specific event. No Right of Entry Permits would be issued until the applicant has obtained all other approvals and permits required by law.

This authorization will expire upon approval of the Long Range Property Management Plan submitted by the SA to the Oversight Board and the Department of Financing pursuant to Health and Safety Code Section 34191.5(b).

The SA anticipates it will receive numerous requests for access to SA properties for special events in the future. Therefore, the SA is requesting this authorization to allow access to SA properties under the conditions described above, rather than returning to the Oversight Board for each specific request. This streamlined approach would allow the SA to operate in an efficient manner and to fulfill obligations without delay, and avoid an overly burdensome, costly and time-consuming implementation process.

This authorization would protect the financial interests of the Successor Agency while making possible the many community events that take place on former RDA properties which attract visitors, support area businesses, and improve quality of life for area residents.

Conclusion

The Oversight Board is respectfully requested to adopt a resolution authorizing the Successor Agency to allow temporary access to its properties for special events subject to the terms and conditions of a Right of Entry Permit which shall include standard requirements for the benefit and protection of the Successor Agency's financial interests, provided that the organizer of the special event first obtains all approvals and permits required by law, until such time that the Long Range Property Management Plan is approved by the Oversight Board and the Department of Finance.

David Graham
Office of the Mayor

Jay Goldstone
Chief Operating Officer

OVERSIGHT BOARD RESOLUTION NUMBER OB-2012-34

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE CITY OF SAN DIEGO REDEVELOPMENT SUCCESSOR AGENCY AUTHORIZING THE SUCCESSOR AGENCY TO ALLOW TEMPORARY ACCESS TO SUCCESSOR AGENCY PROPERTIES FOR SPECIAL EVENTS

WHEREAS, the former 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, in accordance with Assembly Bill x1 26 (AB 26), the Former RDA dissolved as of February 1, 2012, at which time the City of San Diego, solely in its capacity as the designated successor agency to the Former RDA (Successor Agency), assumed the Former RDA's assets and obligations; and

WHEREAS, the Successor Agency is required to administer the winding down of the Former RDA's operations and to ensure compliance with the Former RDA's obligations in accordance with AB 26, as amended by Assembly Bill 1484 (AB 1484); and

WHEREAS, the Successor Agency has received requests from non-profit, civic and other organizations for temporary access to properties owned by the Successor Agency for special events, and the Successor Agency staff expects to receive numerous additional requests of this nature in the future;

WHEREAS, the Successor Agency has requested authorization from the Oversight Board to allow temporary access to Successor Agency properties for special events, subject to the terms and conditions of a Right of Entry Permit;

WHEREAS, the Right of Entry Permits would include standard provisions for the benefit and protection of the Successor Agency's financial interests, including temporary access rights,

insurance requirements, indemnification and defense requirements, and a use or processing fee as appropriate;

WHEREAS, the Oversight Board's authorization would expire upon approval of the Long Range Property Management Plan submitted by the Successor Agency to the Oversight Board and the California Department of Finance pursuant to California Health and Safety Code Section 34191.5(b).

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board that the Successor Agency is authorized to allow temporary access to its properties for special events subject to the terms and conditions of Right of Entry Permits which shall include requirements for the benefit and protection of the Successor Agency's financial interests, provided that the organizer of the special event first obtains all approvals and permits required by law, until such time that the Long Range Property Management Plan is approved by the Oversight Board and the Department of Finance.

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on November ____, 2012.

Chair, Oversight Board