

**REDEVELOPMENT AGENCY OF THE
CITY OF SAN DIEGO, CALIFORNIA
AGENDA FOR
REDEVELOPMENT AGENCY MEETING
TUESDAY, MARCH 10, 2009 AT 2:00 P.M.
Council Chambers
202 C Street, San Diego, CA 92101**

Roll Call

Non-Agenda Comment: Members of the public may address the Agency on items of interest within the Agency's jurisdiction that have not previously been before the Agency. Comments relating to items on today's agenda are to be taken at the time the item is heard.

Assistance for Persons with Disabilities: Agendas, reports and records are available in alternative formats upon request. To order information or request an agenda in an alternative format, or to request a sign language or oral interpreter for the meeting, please call the City Clerk's Office at least five working days prior to the meeting at 533-4000 (voice) or 236-7012 (TT) to ensure availability. Assistive Listening Devices (ALDs) are available from the City Clerk's Office prior to the meeting, and are to be returned at the end of the meeting. A closed caption monitor is available, upon request.

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<http://www.sandiego.gov/redevelopment-agency/index.shtml>

Adoption

1. Fiscal Year 2008-2009 Budget Amendment-Centre City Redevelopment Project (Districts 2 and 8)

(RA-2009-72)(03/05/09Cor.Copy)

That the Redevelopment ("Agency") approve an amendment to the Fiscal Year 2008-2009 Budget ("FY09 Budget") increasing the provision for City Payments from \$5.0 million to 11.315 million to accommodate payments for debt service on the Ballpark Bonds.

This activity is not a project, and therefore not subject to CEQA per CEQA Guidelines Section 15060 (c)(3).

Centre City Development Corporation Report no. CCDC-09-09, dated March 4, 2009.

Staff: Frank Alessi, (619) 533-7130
Agency Counsel: Kendall Berkey

Adoption

2. **Ninth and Broadway Affordable Housing Project (southeast corner of Broadway & Ninth Avenue)-Developer Selection and Executive Negotiation Agreement-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (District 2)**

(RA-2009-68)

That the Agency:

- Item 1. Approve the Exclusive Negotiation Agreement (ENA) between the Redevelopment Agency (“Agency”) and Bridge Housing Corporation (“Bridge”) for the Ninth and Broadway Affordable Housing Project.
- Item 2. Authorize the Executive Director or designee to execute the ENA and administer the Agency’s obligations, responsibilities and duties to be performed thereunder.
- Item 3. Authorize the Centre City Development Corporation (“Corporation”), on behalf of the Agency, to conduct negotiations with Bridge pursuant to the ENA.

The activity is not a “project” for purposes of the California Environmental Quality Act (CEQA) because it does not meet the criteria set forth in CEQA Guidelines Section 15378. Therefore, pursuant to CEQA Guidelines Section 15060 (c)(3), this activity is not subject to CEQA. However, activities related to the future development of the Site will require additional review under the provision of CEQA.

Prior to the Agency approval of any negotiated DDA, all required environmental analysis under CEQA will be completed for a project, which will at least include an Environmental Secondary Study. For informational purposes, a Phase I Environmental Site Assessment, dated February 22, 2007, was prepared by Advantage Environmental Consultants, LLC. The findings of these reports indicate that impacts from environmental contamination at the property are likely limited. However, the report suggest that if a UST tank is found during excavation of the site, regulatory reporting and soil sampling/analysis would be required.

Centre City Development Corporation Report no. CCDC-09-05, dated March 4, 2009.

Staff: Eri Kameyama, (619) 533-7177

Agency Counsel: Kendall Berkey

Adoption

3. North Embarcadero Visionary Plan Phase 1-First Amendment to Agreement with Project Design Consultants for Architectural and Engineering Design Services – Columbia Sub Area of the Centre City Redevelopment Project (District 2)

(RA-2009-69)

That the Agency:

- Item 1. Approve the First Amendment to the Agreement with PDC for architectural and engineering design services in the amount not to exceed \$476,477, for Phase I of the North Embarcadero Visionary Plan, for a total compensation under the Agreement not to exceed \$4,634,918.
- Item 2. Authorize the Centre City Development Corporation (“Corporation”) to execute the First Amendment to the Agreement.
- Item 3. Authorize the Executive Director of the Agency, or designee, to administer the Agency’s obligations, responsibilities, and duties to be performed under the First Amendment to the Agreement.

The activity is not a “project” under the definition set forth in CEQA Guidelines Section 15378. Therefore, pursuant to CEQA Guidelines Section 15060(c)(3), the activity is not subject to CEQA.

Centre City Development Corporation Report no. CCDC-09-03, dated March 4, 2009.

Staff: Gary J. Bosse, (619) 533-7163

Agency Counsel: Kendall Berkey

Auditor Certificate Number: AC 2900548

Adoption

4. Historic Balboa Theatre (868 Fourth Avenue)-Request to Bid Fourth Floor Build Out - Horton Plaza Redevelopment Project (District 2)

(RA-2009-80)

That the Agency:

- Item 1. Authorize the Centre City Development Corporation (“Corporation”) on behalf the Agency, to advertise and receive bids for the construction of the fourth floor build out of the historic Balboa Theatre located 868 Fourth Avenue in the Horton Plaza Redevelopment project (“Project”);
- Item 2. Authorize the Executive Director of the Agency, or his designee, to award the construction contact to the lowest responsible bidder, provided bids are within the established budget of \$399,300, that the construction contact shall not exceed \$399,300, and all other requirements are met.
- Item 3. Authorize the Agency’s Executive Director or designee to execute the construction contract with the lowest responsible bidder.
- Item 4. Authorize the Corporation, on behalf of the Agency, to administer said construction contact.
- Item 5. Make certain findings the proposed Project benefits the 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 blighting conditions by enriching the downtown neighborhoods through preservation of a historically significant structure within 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 33490 (Attachment B-Findings of Benefit) and
- Item 6. Finds and determines that this activity is covered under the Final Master Environmental Impact Report for the Centre City Redevelopment Project and Addressing the Centre City Community Plan and Related Documents, certified by the Agency by Resolution No. R-2081, adopted April 28, 1992, and certified by the City Council by Resolution No. R-279875, on April 28, 1992, and the Environmental Secondary Study for the Proposed Balboa Theatre Rehabilitation, dated January 31, 2001 (“Secondary Study”), in accordance with and pursuant to the California Environmental Quality Act of 1970 (CEQA) and State and local regulations and guidelines adopted pursuant thereto, that assesses the environmental impacts of the rehabilitation of the Balboa Theatre, certified by the Agency on March 27, 2001 by Resolution No. R-03314. The effects of the proposed activity were adequately addressed in the previous environmental document and secondary study and the proposed activity is within the scope of the project described therein. Therefore, pursuant to CEQA Guidelines Section 15168, for further Environmental documentation is required.

Adoption

4. Historic Balboa Theatre (868 Fourth Avenue)-Request to Bid Fourth Floor Build Out - Horton Plaza Redevelopment Project (District 2)

(Continued)

This activity is covered under the Final Master Environmental Impact Report for the Centre City Redevelopment Project and Addressing the Centre City Community Plan and Related Documents, certified by the Agency by Resolution No. R-2081, adopted April 28, 1992, and certified by the City Council by Resolution No. R-279875, on April 28, 1992, and the Secondary Study for the Proposed Balboa Theatre Rehabilitation, dated January 31, 2001.

("Secondary Study"), in accordance with and pursuant to the California Environmental quality Act of 1970 (CEQA) and State and local regulations and guidelines adopted pursuant thereto, that assesses the environmental impacts of the rehabilitation of the Theatre, certified by the Agency on March 27, 2001, by Resolution No. R-03314. The effects of the proposed activity is within the scope of the project described therein. Therefore, pursuant to CEQA Guidelines Section 15168, no further documentation is required.

Centre City Development Corporation Report no. CCDC-09-04 and CCDC-09-03, dated March 4, 2009.

Council Companion Item no. 332

Staff: Gary Bosse, (619) 533-7163

Agency Counsel: Kimberly Kaelin

5. Date Street Storm Drain Improvements (India to California streets) Request to Bid-Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (District 2)

(RA-2009-65)

- Item 1. Authorize the Centre City Development Corporation ("Corporation") on behalf the Agency, to advertise and receive bids for the design and construction of the proposed Date Street Storm Drain Improvements from India to California streets in the Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project ("Project");
- Item 2. Authorize the Executive Director of the Agency, or his designee, to award the construction contact to the lowest responsible bidder, provided bids are within the established budget of \$370,845, that the construction contact shall not exceed \$370,845, and all other requirements are met.

Adoption

5. Date Street Storm Drain Improvements (India to California streets) Request to Bid-Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (District 2)

(Continued)

- Item 3. Authorize the Agency's Executive Director or designee to execute the construction contract with the lowest responsible bidder.
- Item 4. Authorize the Corporation, on behalf of the Agency, to administer said construction contact.
- Item 5. Make certain findings that the proposed Project benefits the Centre City Redevelopment Project ("Project Area") or the immediate neighborhood in which the Project is located, that no other reasonable means of financing is available to the community; that the payment of funds will assist in the eliminating of blighting conditions by improving the existing outdated and substandard storm drain facilities to current City standards, and to insure adequate health & safety facilities for the public inside the Project Area, and that the proposed project is consistent with the Implementation Plan adopted for the Project Area pursuant to Health and Safety Code 33490 (Attachment B-Findings of Benefit;
- Item 6. Finds and determines that this activity is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Existing Facilities, Class 1 (c); that this activity does not fall within any of the classes of projects for which a categorical exemption may not be applied (Pub. Resources (Code Section 21084); that this activity triggers none of the exceptions to the application of a categorically exemption set forth in CEQA Guidelines Section 15300.2; and that the application of the categorical exemption set forth under CEQA Guidelines Section 15301, Existing Facilities Class 1 (c), is appropriate for this activity.
- Item 7. Finds and determines that this activity is statutorily exempt from CEQA pursuant to State CEQA Guidelines Section 15282 (k) as set forth in California Public Resources Code Section 21080.21.

Adoption

5. Date Street Storm Drain Improvements (India to California streets) Request to Bid-Little Italy Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (District 2)

(Continued)

This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301. Existing Facilities, Class 1 (c). The activity does not fall within any of the classes of projects for which a categorical exemption may not be applied. (Pub. Resources Code Section 21084.) Moreover, the activity triggers none of the exceptions to the application of a categorical exemption set forth in CEQA Guidelines Section 15300.2. Therefore, the application of the categorical exemption set forth under CEQA Guidelines Section 15301, Existing Facilities Class 1 (c), is appropriate for this activity. This project is also statutorily exempt from CEQA pursuant to State CEQA Guidelines, Section 15282 (k) as set forth in the Public Resources Code Section 21080.21.

Centre City Development Corporation Report no. CCDC-09-01 and CCDC-09-01, dated March 4, 2009.

Council Companion Item no. 333

Staff: Abbas Rastandeh, (619) 533-7163
Agency Counsel: Kendall Berkey
Auditor Certificate Number: AC 2900480

Joint Public Hearing

**6. Second Amendment to Ballpark Cooperation Agreement-East Village
Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment
Project (District 2)**

(RA-2009-73)

That the Agency and City Council approve a Second Amendment to Ballpark Cooperation Agreement (“Second Amendment) and make certain findings that:

- Item 1. That the Baseball Park and Related Improvements are of benefit to the Centre City Redevelopment Project area and the immediate neighborhood in which the Project area is located.
- Item 2. No other reasonable means of financing the additional payment for debt service on the financing of the Baseball Park and Related Improvements are available to the community.
- Item 3. The additional payment of funds for debt service on financing the cost of the Baseball Park and Related Improvements will assist in the elimination of one or more blighting conditions inside the Project area; and
- Item 4. The additional payment for debt service on financing the cost of the Baseball Park and Related Improvements is consistent with the Implementation Plan for the project area adopted pursuant to Section 33490 of the California Community Redevelopment Law.

This activity is covered under (EIR SCH No. 98121003, dated September 13, 1999 Adopted October 26, 1999 by Council Resolution No. R-292363. The activity is adequately addressed in the environmental documents and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Therefore, the activity is not a separate project for purposes of CEQA review pursuant to State CEQA Guidelines Section 15060 (c)(3).

Centre City Development Corporation Report no. CCDC-09-07 and CCDC-09-04, dated March 4, 2009.

Council Companion Item no. 334

Staff: Frank Alessi, (619) 533-7130
Agency Counsel: Kendall Berkey
Auditor Certificate Number: AC 2900558