

**REDEVELOPMENT AGENCY OF THE  
CITY OF SAN DIEGO, CALIFORNIA  
SPECIAL AGENDA FOR  
REDEVELOPMENT AGENCY MEETING  
MONDAY, NOVEMBER 23, 2009, AT 2:00 P.M.  
Council Chambers  
202 C Street, San Diego, CA 92101**

Roll Call

**To Address Redevelopment Agency on an Agenda Item:** Speaker forms are available in the Council Chambers prior to each meeting. Fill out a speaker slip “In Favor” or “In Opposition” to the Recommendation listed first on the Docket for the subject item, and submit the form to the City Clerk. Speakers will be called by name to address the Redevelopment Agency when the item is heard. Time allotted to each speaker is determined by the Chair and, in general, is limited to three (3) minutes; moreover, collective testimony by those who support or oppose an item shall be limited to no more than fifteen (15) minutes to per side.

Members of the public wishing to address the Agency must submit a “Request to Speak” form to the City Clerk **prior** to the agenda item being called. Please note that “Request to Speak” forms will **not** be accepted once the item is called. Speaker slip on any item should be submitted at the **beginning** of each Agency meeting.

**Assistance for the Disabled:** 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.

**Internet Access to agendas and reports is available at:**  
<http://www.sandiego.gov/redevelopment-agency/index.shtml>

**Closed Session Notices, Disclosure, And Public Comment**

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for Agency Counsel comment, public comment, and Redevelopment Agency discussion of the content of the Closed Session Agenda which may take place at any time after public testimony, but typically, Closed Session takes place at 9 a.m. on Tuesdays. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

The Redevelopment Agency Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City and Redevelopment Agency Internet address.

**NOTE:** Members of the public wishing to address the Redevelopment Agency on any item on the Closed Session Agenda should reference the closed session item number from the Closed Session Docket on the speaker slip. Speakers may speak “in favor” or in opposition” to the subject.

**Information Item-No Action Required-The Redevelopment Agency Shall:**

**Closed Session Notices, Disclosure, and Public Comment:**

1) Consider any oral report from the Agency Counsel or City negotiators; 2) Accept Testimony from any member of the public wishing to address the Redevelopment Agency on any item appearing on the Closed Session Agenda; 3) Questions and discussion by Agency Members, limited to the facts as disclosed by the Agency Counsel or City negotiators and the basis of justification for consideration of the matter in closed session; 4) Refer matters discussed to closed session.

**Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):**

RACS-1      *San Diego State University Foundation v. Redevelopment Agency*  
San Diego Superior Case No. 37-2008-00091165-CU-BC-CTL

ACA Assigned: D. Worley

This matter involves a contract dispute relating to property intended for the now-defunct Paseo Project within the City of San Diego College Community Redevelopment Plan. General Counsel for the City’s Redevelopment Agency will present to the Mayor and City Council the proposed settlement agreement related to the action and cross-action.

**Adoption**

1. **Rehabilitation Loan Agreement with Lyric Opera San Diego for the North Park Theatre Rehabilitation Project (District 3)**

That the Redevelopment Agency:

(RA-2010-34)

1. Approve the Rehabilitation Loan Agreement and authorize the Executive Director or designee to execute the Rehabilitation Loan Agreement between the Redevelopment Agency of the City of San Diego and Lyric Opera San Diego for the North Park Theatre Rehabilitation Project and to execute such further instruments and enter into such additional agreements as may be necessary to effectuate the Rehabilitation Loan Agreement.
2. Authorize the Chief Financial Officer as delegate to expend the funds of up to \$162,918 pursuant to the Rehabilitation Loan Agreement as a forgivable loan to Lyric Opera San Diego for the North Park Theatre Rehabilitation Project.

“This activity is covered under the Environmental Impact Report for the North Park Redevelopment Project (SCH No. 93121105, dated April 1995, adopted on January 28, 1997, by Resolution No. R-288303) and Secondary Study for the North Park Theatre (February 25, 2002, Resolution No. R-296398, dated 4/23/02). The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review per CEQA Guidelines Section 15060(c)(3) and 15378(c).”

Redevelopment Agency Report no. [RA-09-28](#), dated November 18, 2009.

[Attachment 1. Site Map](#)      [Attachment 2. Rehabilitation Budget](#)  
[Attachment 3. Rehabilitation Loan Agreement](#)

Staff: Michael Lengyel, (619) 236-6269  
Michelle Rosenthal, (619) 236-6268  
Agency Counsel: Krishna Jayaram

**Adoption**

2. **Villa Montezuma Rehabilitation (1925 K Street)-Memorandum of Understanding between the City of San Diego and the Redevelopment Agency of the City of San Diego for the Rehabilitation of the Villa Montezuma-Southeast San Diego Planned District-Dells Imperial Study Area (District 2)**

That the Agency adopts a resolution:

(RA-2010-29)

- Item 1. Approving the MOU for the rehabilitation of the Villa Montezuma, City owned Facility;
- Item 2. Authorizing the Chief financial Officer, as delegated, to appropriate and transfer \$550,000 from the Agency to the City (into CIP#: A-BT.00001, CIP Title: City Facility Improvements and Fund #200355, Fund Title: CCDC Contribution to the City for the purpose of rehabilitation of the Villa Montezuma) upon certain conditions precedent in the MOU being fulfilled; and
- Item 3. Making certain findings for the expenditure of Agency funds for the construction of the improvements for the rehabilitation of the Villa Montezuma.

This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15331. The activity is not 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 153002. Therefore, the application of the categorical exemption(s) set forth under CEQA Guidelines section 15331 is appropriate for this activity.

Centre City Development Corporation Report nos. [CCDC-09-37](#) and [CCDC-09-21](#), dated November 18, 2009.

[Attachment A. Site Map](#)    [Attachment B. Memorandum of Understanding](#)

Council Companion Item no. 203

Staff: Eli Sanchez, (619) 533-7121  
Agency Counsel: Krishna Jayaram  
Comptroller Action: CC3000002812