

**REDEVELOPMENT AGENCY OF THE
CITY OF SAN DIEGO, CALIFORNIA
AGENDA FOR
REDEVELOPMENT AGENCY MEETING
TUESDAY, OCTOBER 12, 2010, AT 2:00 P.M.
Council Chambers
202 C Street, San Diego, CA 92101**

Roll Call

Non-Agenda Public Comment: This portion of the agenda provides an opportunity for members of the public to address the Agency on items of interest within the Agency's jurisdiction of the Agency. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

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.

Reports and Attachments: See the links below in the agenda for these documents.

1. Approval of the minutes of:
September 14, 2010

Adoption

2. **Settlement Agreement Pertaining to Litigation with Jack in the Box, City Heights Redevelopment Project Area (District 3)**

([RA-2011-28](#))

- Item 1. Approve and authorize the Executive Director or designee to execute the Settlement Agreement and Release with Jack in the Box; and
- Item 2. Authorize the City Chief Financial Officer or designee to appropriate and expend up to \$1,230,000 from the City Heights Redevelopment Project Area to satisfy the payment requirement of the Settlement Agreement.

This activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and is therefore not subject to CEQA Guidelines Section 15060(c)(2).

Redevelopment Agency Report no. [RA-10-39](#), dated October 6, 2010.

[Item Summary](#)

[Attachment A Settlement Agreement](#)

Staff: James Davies, 619-236-6540

Agency Counsel: Carmen Brock

Comptroller Certificate Number: [CC3000003619](#)

3. **Broadway Median Improvement & Lighting Project (Broadway from Kettner Boulevard to Third Avenue)-Request to Bid-Columbia Sub Area of the Centre City Redevelopment Project and Horton Plaza Redevelopment Project (District 2)**

(This item was continued from the Redevelopment Agency Meeting, September 28, 2010, RA Item no. 4 and City Council Companion Item no. 334)

([RA-2011-19](#))

That the Redevelopment Agency ("Agency"):

- Item 1. Authorizes the Centre City Development Corporation ("Corporation"), on behalf of the Agency, to advertise and receive bids for the proposed construction of the Project, located in the Project Areas (Attachment A-Site Map);
- Item 2. Authorizes the Agency Executive Director or designee, to award the construction contract to the lowest responsible bidder, provided bids are within the established budget of \$17,250, that the construction contract shall not exceed \$17,250 and all other requirements are met;
- Item 3. Authorizes the Agency Executive Director or designee to execute the construction contract with the lowest responsible bidder;
- Item 4. Authorizes the Corporation, on behalf of the Agency, to administer said construction contract; and

Adoption

3. **Broadway Median Improvement & Lighting Project (Broadway from Kettner Boulevard to Third Avenue)-Request to Bid-Columbia Sub Area of the Centre City Redevelopment Project and Horton Plaza Redevelopment Project (District 2)**

(Continued)

Item 5. Makes certain findings that the proposed Project benefits the Project Areas by helping in the elimination of one or more blighting conditions inside the Project Areas; that no other reasonable means of financing the Project for which the Agency proposes to pay is available to the community; and that the payment of Agency funds toward the cost of the Project is consistent with the Fourth Five-Year Implementation Plan adopted June 19, 2009 for the Project Areas (“Implementation Plan”) pursuant to California Health and Safety Code Section 33490 (Attachments B and C-Findings of Benefit).

This Project is categorically exempt from the California Environmental Quality Act (CEQA) under State (CEQA) Guidelines Section 15301 (entitled “Existing Facilities”). Section 15301 applies to a class of projects (“Class 1”) that includes the operation, repair, maintenance, permitting, leasing, or minor alteration of existing public and private structures, facilities, mechanical, equipment, or topographical features when the project involves negligible or no expansion of the existing use.

Section 15301 identifies example projects including, but not limited to improvements to existing highways, streets, sidewalks gutters, bicycle and pedestrian trails and similar facilities. The application of the Class 1 categorical exemption is, therefore, appropriate in this case as the proposed project involves the installation of street median enhancements. The application of a categorical exemption to this project is not precluded by any of the exceptions set forth in State CEQA Guidelines Section 15300.2.

Centre City Development Corporation report no. [CCDC-10-36 and CCDC-10-11](#), dated September 22, 2010.

[Item Summary](#)

[Attachment A Site Map](#)

[Attachment B Findings of Benefit Columbia Sub Area](#)

[Attachment C Findings of Benefit Horton Plaza](#)

Council Companion Item no. 334

Staff: Gary Bosse, 619-533-7163

Agency Counsel: Charles Jagolinzer

Comptroller Certificate Number: [CC3000003555](#)

Adoption

4. Interim Leash-Free Dog Park and Block Improvements (block bounded by G Street, Park Boulevard, Market Street and Eleventh Avenue) Request to Bid-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment (District 2)

(This item was continued from the Redevelopment Agency Meeting, September 28, 2010, RA Item no. 5 and City Council Companion Item no. 332)

[\(RA-2011-25\)](#)

That the Redevelopment Agency (“Agency”):

- Item 1. Authorize the expenditure of an amount not to exceed \$616,278 to pay for the cost of construction of the Improvements located within the Project Area;
- Item 2. Authorizes the Centre City Development Corporation, Inc. (“Corporation”), on behalf of the Agency, to advertise and receive bids for construction of the Improvements;
- Item 3. Authorizes the Agency Executive Director or designee to award the construction contract to the lowest responsible bidder, provided responsive bids from a responsible contractor are within the established budget of \$616,278 and all other requirements are met;
- Item 4. Authorizes the Agency Executive Director or designee to execute the construction contract with the lowest responsible bidder for construction of the improvements;
- Item 5. Authorizes the Corporation, on behalf of the Agency, to administer the construction contract, and
- Item 6. Make certain findings pursuant to section 33445 of the California Health and Safety Code that the Improvements are of benefit to the Project Area by helping to eliminate blighting conditions within the Project Area, that no other reasonable means of financing construction of the Improvements are available to the community, and that the payment of Agency funds for construction of the Improvements is consistent with the Fourth Five-Year Implementation Plan for the Project Area adopted pursuant to section 33490 of the California Health and Safety Code.

Adoption

4. **Interim Leash-Free Dog Park and Block Improvements (block bounded by G Street, Park Boulevard, Market Street and Eleventh Avenue) Request to Bid-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment (District 2)**

(Continued)

This Project is categorically exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15332 (entitled “In-Fill Development Project”). The Project involves the redevelopment of an existing construction laydown yard with various landscape and hardscape improvements to create a small downtown dog park and certain upgrades to an existing parking lot and adjacent public right-of-way. The Project is consistent with the goals and policies of the Downtown Community Plan, which calls for the development of small “pocket” parks throughout downtown, and with the development standards of the Centre City PDO. The development occurs on a site of less than 5 acres in size, and is surrounded on all sides by urban uses. The site is currently developed with a surface parking lot/construction laydown yard, and has no value as habitat for endangered, rare or threatened species. The site is located in a densely populated, active and walkable urban area and the Project will not have significant effects on traffic, noise or air quality beyond those which currently exist in the surrounding area. The Project will not have significant effects on water quality due to design features that will capture and filter water runoff, which will percolate onsite and not be discharged into the stormwater system. The application of a categorical exemption to the Project is not precluded by any of the exceptions set forth in State CEQA Guidelines Section 15300.2.

Centre City Development Corporation report no. [CCDC-10-40 and CCDC-10-13](#), dated September 22, 2010.

[Item Summary](#)

[Attachment A Final Schematic Design](#)

[Attachment B Findings of Benefit](#)

Council Companion Item no. 333

Staff: Mark Caro, 619-533-7138

Agency Counsel: Kendall Berkey

Comptroller Certificate Number: [CC3000003565](#)