

**REDEVELOPMENT AGENCY OF THE
CITY OF SAN DIEGO, CALIFORNIA
AGENDA FOR
SPECIAL REDEVELOPMENT AGENCY MEETING
TUESDAY, NOVEMBER 30, 2010 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.

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

1. Approval of the minutes of:
October 12, 2010

Adoption

2. **Island Inn (202 Island Avenue)-Assignment, Assumption and Refinance Agreement-Marina Redevelopment District of the Centre City Redevelopment Project Area District 2)**

([RA-2011-42](#))

That the Redevelopment Agency of the City of San Diego (“Agency”) approves the Assignment, Assumption and Refinance Agreement, Amendment to Promissory Note, Amendment to Deed of Trust, and Subordination Agreement (collectively referred to as the “agreement”) between the Agency, 197 Partners, a California general partnership (“Assignor”) and Island Inn, L.P. (“Assignee”) and authorizes the Executive Director, or designee, to take such actions necessary to execute and administer the Agreements.

This activity is not a “project” for purposes of the California Environmental Quality Act (CEQA) because it does not fit within the definition of a “project” set forth in Public Resources Code Section 21065 or State CEQA Guidelines Section 15378. Thus, this activity is not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3)

See Centre City Development Corporation Report no. [CCDC-10-52](#) dated, November 24, 2010.

[Item Summary](#)

[Attachment A Amendment to Deed of Trust](#)

[Attachment B Amendment to Promissory Note](#)

[Attachment C Refinance Agreement](#)

[Attachment D Subordination Agreement](#)

Staff: A.J. Magana, 533-7125

Agency Counsel: Monique Tayyab

Adoption

3. **J Street Inn (222 J Street)-Assignment and Assumption Agreement-Marina Redevelopment District of the Centre City Redevelopment Project (District 2)**

([RA-2011-39](#))

That the Redevelopment Agency of the City of San Diego (“Agency”) approves the Assignment and Assumption Agreement, Amendment to Promissory Note, and Amendment to Deed of Trust (collectively referred to as the “Agreement”) between the Agency, 197 Partners, a California general partnership (“Assignor”) and J Street Inn, L.P. (“Assignee”) and authorizes the Executive Director, or designee, to take such actions necessary to execute and administer the Agreements.

This activity is not a “project” for purposes of the California Environmental Quality Act (CEQA) because it does not fit within the definition of a “project” set forth in Public Resources Code Section 21065 or State CEQA Guidelines Section 15378. Thus, this activity is not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3)

See Centre City Development Corporation Report no. [CCDC-10-53](#) dated, November 24, 2010.

[Item Summary](#)

[Attachment A Assignment and Assumption Agreement](#)

[Attachment B Amendment to Promissory Note](#)

[Attachment C Amendment to Deed of Trust](#)

Staff: A.J. Magana, 533-7125

Agency Counsel: Monique Tayyab

4. **Fiscal Year 2011 Corporation Budget Amendment and Amendment to the Contract with the firm Morrison & Foerster LLP-General (Districts 2 and 8)**

([RA-2011-38](#))

That the Redevelopment Agency of the City of San Diego (“Agency”)

Item 1. Amend the Corporation’s Fiscal Year 2011 (“FY11”) Administrative Budget, increasing the overall budget by \$500,000 to accommodate expenses in Legal Consultant line item for pending litigation and

Item 2. Approve an amendment to the contract with the firm Morrison & Foerster LLP in the amount of \$500,000, for a total contract amount not to exceed \$600,000.

This activity is not a “project” under the definition set forth in California Environmental Quality Act (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-10-55](#) dated, November 24, 2010.

[Item Summary](#)

[Attachment A First Amendment to Professional Services Agreement](#)

Staff: Margarita Garcia, 533-7131

Agency Counsel: Charles Jagolinzer

Adoption

5. Financial Assistance Agreement with Endangered Habitats Conservancy and Ocean Discovery Institute for the Swan Canyon Restoration Project (District 3)

Redevelopment Agency:

[\(RA-2011-43\)](#)

Item 1. Make necessary findings that the improvements to be completed in Swan Canyon, located on City of San Diego owned property within the City Heights Redevelopment Project Area (Project Area) will be of benefit to the Project Area, that there are no other reasonable means of financing the improvements, that the improvements will assist in the elimination of blight within the Project Area, and the improvements are consistent with the Fourth Implementation Plan adopted on June 19, 2009 for the City Heights Redevelopment Project.

Item 2. Approve the Financial Assistance Agreement by and between the Redevelopment Agency of the City of San Diego and Endangered Habitats Conservancy and Ocean Discovery Institute for the Swan Canyon Restoration Project located in the City Heights Redevelopment Project Area for an amount not to exceed \$135,000 and authorize the Agency Executive Director or designee to execute the Agreement.

Item 3. Authorize the City Chief Financial Officer, as delegated to appropriate encumber and expend City Heights funds of up to \$135,000 contingent on first furnishing a certificate that funds are, or will be, on deposit in the City Treasury.

The activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15304(i) and 15333.

Redevelopment Agency Report no. [RA-10-42 and Report to Council RTC-10-137](#) dated, November 24, 2010.

[Item Summary](#)

[Attachment A Site Map](#)

[Attachment B Findings](#)

[Attachment C Financial Assistance Agreement](#)

[Work Force Report Endangered Habitats Conservancy](#)

[Equal Opportunity Agreement Ocean Discovery Institute](#)

[Equal Opportunity Contracting Program Evaluation](#)

Council Companion Item no. 334.

Staff: Karina Danek, 236-6535

Melissa Garcia. 236-6547

Agency Counsel: Charles Jagolinzer

Comptroller Certificate Number: [CC3000003730](#)

Adoption

6. Morley Green (Park) in Linda Vista (District 6)

Redevelopment Agency:

[\(RA-2011-31\)](#)

Item 1. Approve the Grant Deed whereby the Agency transfers fee title to Morley Green Park to the City; and

Item 2. Approve the Cooperation Agreement between the City and the Redevelopment Agency And authorize the Agency Executive Director to execute said Agreement.

The activity is categorically exempt from CEQA Guidelines Section 15061(b (3)).

Redevelopment Agency Report no. [RA-10-41 and Report to Council RTC-10-138](#) dated, November 24, 2010.

[Item Summary](#)

[Attachment 1 Location Map/Aerial Photo](#)

[Attachment 2 Linda vista Population Based Park Needs 2010](#)

[Attachment 3 Cooperation Agreement](#)

[Attachment 4 City Council Policy No 700-17](#)

Council Companion Item no. 335.

Staff: Eliana Barreiros, 236-6267

Michael Lengyel, 236-6269

Agency Counsel: Charles Jagolinzer

Joint Public Hearing

7. Monarch School Project (west side of Newton Avenue between 16th Street and Sigbee Street)-Proposed Amended and Restated Disposition and Development Agreement with Ground Lease with Option to Purchase, Acquisition Agreement and Leaseback-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment (District 8)

That the Redevelopment Agency of the City of San Diego (“Agency”) adopts a resolution:

([RA-2011-47](#))(Cor.Copy)

- Item 1. Approving the Summary Report prepared in accordance with Section 33433 of the California Community Redevelopment Law in order to inform the Agency and the Public about the proposed Amended Agreement;
- Item 2. Finding and determining that the consideration to be received by the Agency under the terms of the Amended Agreement is not less than the estimated fair re-use value at the use and with the covenants and conditions and development costs authorized by the Amended Agreement;
- Item 3. Finding and determining that the ground leasing and rehabilitation of the building and improvements of the 1625 Newton Avenue property (“Newton Property”) and the acquisition and leaseback of the 808 West Cedar Street property (“Cedar Property”) in accordance with the proposed Amended Agreement will assist in the elimination of blight in the Centre City Redevelopment Project Area, and is consistent with the Fourth Implementation Plan for the Horton Plaza and Centre City Redevelopment Project (“Implementation Plan”) adopted pursuant to California Health and Safety Code Section 33490;
- Item 4. Approving the Amended Agreement which establishes the terms and conditions for the real property transactions between the Agency and Monarch School Project and includes the forms of the Ground Lease with an option to purchase the Newton Property and the Acquisition Agreement and Leaseback of the Cedar Property;
- Item 5. Authorizing the Executive Director of the Agency, or designee, to execute the Amended Agreement, the Ground Lease, the Acquisition Agreement, the Leaseback and all other implementing documents, and take any actions necessary and appropriate to implement the documents subject to all conditions set forth in the Amended Agreement; and
- Item 6. Approving the design of the rehabilitation of the Newton Property building and improvements based upon the Basic Concept/Schematic Drawings attached to the Amended Agreement.

Joint Public Hearing

7. **Monarch School Project (west side of Newton Avenue between 16th Street and Sigbee Street)-Proposed Amended and Restated Disposition and Development Agreement with Ground Lease with Option to Purchase, Acquisition Agreement and Leaseback-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment (District 8)**

(Continued)

This project is covered under the Final Environmental Impact Report (FEIR) for the Centre City Redevelopment Plan certified by the Agency on March 14, 2006 (Resolution R-04001), and subsequent addenda to the FEIR certified by the Agency on August 3, 2007 (Agency Resolution \$-04193) and April 21, 2010 (Agency Resolutions R-04508 and R-04510) in compliance with CEQA. The FEIR is a "Program EIR" prepared in compliance with State CEQA Guidelines Section 15168. An Environmental Secondary Study (ESS) dated October 2010 has been prepared in accordance with CEQA and State and local guidelines. The ESS concludes, among other things, that (I) the environmental impacts of the proposed project were adequately addressed in the FEIR, (ii) the proposed project is within the scope of the development program described in the FEIR, and (iii) no further environmental documentation is required under CEQA.

Centre City Development Corporation Report no. [CCDC-10-56 and CCDC-10-20](#) dated, November 24, 2010.

[Item Summary](#)

[Attachment A Cedar Property Map](#)

[Attachment B Newton Property Map](#)

[Attachment C Amended Restated Disposition & Development Agmt Basic Concept Drawings](#)

[Attachment D Environmental Secondary Study](#)

[Attachment E 33433 Summary Report dated October 2010](#)

[Notice of Public Hearing](#)

Council Companion Item no. 333.

Staff: Jeff Graham, 533-7181

Agency Counsel: Charles Jagolinzer