

**REDEVELOPMENT AGENCY OF THE
CITY OF SAN DIEGO, CALIFORNIA
AGENDA FOR
REDEVELOPMENT AGENCY MEETING
TUESDAY, AUGUST 2, 2011, AT 2:00 P.M.
Council Chambers
202 C Street, San Diego, CA 92101**

Roll Call

Adoption Agenda, Consent Items

The Consent items listed beginning on the next page are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

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.

Discussion

1. Approval of the minutes: (Rev.8/1/11)

March 14, 2011, special
March 14, 2011, special, 6:00 p.m.
March 15, 2011
March 15, 2011, supplemental
March 22, 2011, special, 10:00 a.m. (Removed)
March 22, 2011
March 29, 2011 (Added)
March 29, 2011, supplemental
April 12, 2011
April 12, 2011, supplemental
April 19, 2011
April 26, 2011, adjourned
May 3, 2011, adjourned
May 10, 2011
May 12, 2011, special
May 16, 2011, special
May 17, 2011, adjourned
May 24, 2011, adjourned

Adoption-Discussion

2. Fourth Amendment to the Agreement with Kane, Ballmer & Berkman for As-Needed Special Legal Services (District 2)

[\(RA-2011-141\)](#)

That the Redevelopment Agency of the City of San Diego (“Agency) approves the Fourth Amendment for As Needed Special Legal Services between the Agency and Kane Ballmer (KBB) to increase the total compensation that may be expended under said agreement by \$800,000 for a maximum total of \$6,625,000, and authorizes the City Chief Financial Officer, as delegated, to appropriate, encumber and expend tax increment funds of up to \$800,000.

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).

Centre City Development Corporation Report no. [CCDC-11-36](#), dated July 27, 2011.

[Item Summary](#)

[Attachment A Agreement with Agency and Kane Ballmer & Berkman, as amended](#)

[Attachment B Proposed Fourth Amendment Kane Ballmer & Berkman](#)

[EOC Program Evaluation](#)

Staff: Eli Sanchez, 619-533-7121

Deputy General Counsel: Charles Jagolinzer

Comptroller Certificate Number: [CC3000004326](#)

Adoption-Discussion

3. Mason Hotel (1337-1345 Fifth Avenue)-First Implementation Agreement to the Owner Participation Agreement-Cortez Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (District 2)

[\(RA-2012-1\)](#)

That the Redevelopment Agency of the City of San Diego (“Agency) approves the proposed First Implementation

This project is categorically exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 1530 (entitled “Existing Facilities”). Section 15301 applies to a class of projects that includes the repair, maintenance or minor alteration of existing public or private structures or facilities involving negligible or no expansion of the existing use. The proposed project consists of the rehabilitation of an existing SRO building, and therefore qualifies for the categorical exemption. The application of a categorical exemption to this project is not precluded by any of the exception set forth in State CEQA Guidelines Section 15300.2.

Centre City Development Corporation Report no. [CCDC-11-37](#), dated July 27, 2011.

[Item Summary](#)

[Attachment A Site Map](#)

[Attachment B First Implement Agreement Owner Participation Agreement](#)

Staff: Eri Kameyama, 619-533-7177

Deputy General Counsel: Nathan Slegers

4. Rehabilitation Loan Agreement for the Silverado Ballroom Building (District 7)

[\(RA-2012-4\)](#)

- Item 1. Approve the Rehabilitation Loan Agreement with David Chinh Chau and Ngo M. Chau for the Silverado Ballroom Building project and authorize the Executive Director or designee to execute and enter into the Rehabilitation Loan Agreement.
- Item 2. Approve the Basic Concept Drawings for the Silverado Ballroom Building Project.
- Item 3. Authorize the City Chief Financial Officer, as delegated, to appropriate, encumber, and expend up to \$1,394,000 pursuant to the Rehabilitation Loan Agreement associated with the Silverado Ballroom Building Project from the Agency’s City Heights Taxable Bonds, contingent on certification by the City Comptroller that funds are available.

This activity (the agreement) is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3). The future development/construction proposal for which these funds are targeted will be subject to CEQA review at the appropriate future date. This determination is predicated on Section 15004 of the guidelines, which provides direction to lead agencies on appropriate timing for environmental review.

Adoption-Discussion

4. Rehabilitation Loan Agreement for the Silverado Ballroom Building (District 7)

(Continued)

Redevelopment Agency Redevelopment Agency Report no. [RA-11-18 and Report to Council RTC-11-055](#), dated July 27, 2011

[Item Summary](#)

[Attachment A Site Map](#)

[Attachment B Basic Concept Drawings](#)

[Attachment C Project Budget](#)

[Attachment D Rehabilitation Loan Agreement](#)

[Work Force Report](#)

[EOC Program Evaluation](#)

Council Companion Item no. 333

Staff: Karina Danek, 236-6537

James Davies, 236-6540

Deputy General Counsel: Kevin Reisch

Comptroller Certificate Number: [CC3000004278](#)

5. Ninth and Broadway Affordable Housing Project (southeast corner of Broadway & Ninth Avenue)-First Amendment to Disposition and Development Agreement-East Village Redevelopment district of the Expansion Sub Area of the Centre City Redevelopment Project (District 2)

[\(RA-2012-5\)](#)

That the Redevelopment Agency ("Agency") adopts a resolution approving the First Amendment to the Disposition and Development Agreement (DDA) ("First Amendment") between the Agency and Broadway Tower Associates, L.P. ("Developer") for the Ninth and Broadway affordable housing project located at the southeast corner of Broadway and Ninth Avenue ("Project") and authorizing the Agency Executive Director or designee to execute the First Amendment and any further instruments required by the DDA, as amended by the First Amendment;

The 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 R-04193), April 21, 2010 (Agency Resolutions R-04508 and R-04510), and August 3, 2010 (Agency Resolution R-04544). The FEIR is a "Program EIR" prepared in compliance with State CEQA Guidelines Section 15168.

In connection with the approval of the DDA for the Project on December 7, 2009, the Agency caused the preparation of an Environmental Secondary Study (ESS) dated June 2009. Based on the conclusions of the ESS, the Agency made certain findings, consistent with State CEQA Guidelines Section 15168 and the Agency's CEQA procedures, to the effect 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.

Adoption-Discussion

5. **Ninth and Broadway Affordable Housing Project (southeast corner of Broadway & Ninth Avenue)-First Amendment to Disposition and Development Agreement-East Village Redevelopment district of the Expansion Sub Area of the Centre City Redevelopment Project (District 2)**

(Continued)

The proposed revisions to the DDA pertain to modifications of the schedule for the Project and do not implicate any new environmental concerns that are not already addressed in the FEIR and the ESS. In accordance with State CEQA Guidelines Sections 15162 and 15168, no further environmental documentation is required with respect to the proposed revisions to the Owner Participation Agreement (OPA).

Centre City Development Corporation Report no. [CCDC-11-38 and CCDC-11-19](#), dated July 27, 2011

[Item Summary](#)

[Attachment A Site Map](#)

[Attachment B First Amendment Disposition and Development Agreement](#)

Council Companion Item no. 335

Staff: Eri Kameyama, 619-533-7177

Lane MacKenzie, 619-236-6050

Deputy General Counsel: Kevin Reisch

Adoption-Discussion-Public Hearing

6. **Disposition and Development Agreement for the North Park Gateway Project in the North Park Project Area Noticed Public Hearing (District 3)**

That the Agency and the City Council:

[\(RA-2012-6\)](#)

- Item 1. Authorize the Executive Director or designee to execute the Disposition and Development Agreement with North Park Gateway, LLC for the North Park Gateway Project.
- Item 2. Approve the Basic Concept Drawings.
- Item 3. Authorize the Chief Financial Officer to encumber and expend \$100,000 from North Park funds set-aside by the City in accordance with the Cooperation Agreement for Payment of Costs Associated with Certain Redevelopment Agency. Funded Projects by and between the City of San Diego and the Redevelopment Agency of the City of San Diego.

This action is categorically exempt from the requirements of CEQA under Section 15332 of the CEQA Guidelines as an in-fill development project in an urbanized area.

Housing Impact:

The proposed project includes the construction of six 2-bedroom residential apartments.

Adoption-Discussion-Public Hearing

6. **Disposition and Development Agreement for the North Park Gateway Project in the North Park Project Area Noticed Public Hearing (District 3)**

(Continued)

Redevelopment Agency Report no. [RA-11-25](#) and [Report to Council RTC-11-089](#), dated July 27, 2011.

[Item Summary](#)

[Public Hearing Notice](#)

[Attachment 1 Disposition and Development Agreement](#)

[Attachment 2 Basic Concept Plan](#)

[Attachment 3 Section 33433 Summary Report](#)

[Attachment 4 Notice of Exemption California Environmental Quality Act](#)

[Work Force Report](#)

[EOC Program Evaluation](#)

Council Companion Item no. 336

Staff: Maureen Ostrye, 236-6270

Eliana Barreiros, 236-6267

Deputy General Counsel: Nathan Slegers

Comptroller Certificate Number: [CC3000004328](#)