

REDEVELOPMENT AGENCY MINUTES

**REDEVELOPMENT AGENCY MEETING
OCTOBER 13, 2009**

The meeting called to order as the City Council at 2:01 p.m. by Council President Hueso with all Council Members present.

Roll Call Lightner, Faulconer, Gloria, Young, DeMaio,
Fyre, Emerald, Council President Hueso

Tom Haynes, Independent Budget Analyst
Mary Jo Lanzafame, City Attorney
Elizabeth Maland, City Clerk

Council President Hueso recessed the meeting at 4:36 p.m. for the purpose of a break.

The meeting reconvened as the City Council at 4:44 p.m. by Council President Hueso with all Council Members present.

The meeting adjourned as the City Council at 4:45 p.m.

The meeting reconvened as the Redevelopment Agency at 4:45 p.m. by Chair Hueso with all Agency Members present.

Adoption

4. Interstate 5 Bridge Streetlights (First, Second, Third and Sixth avenue bridges and Island Avenue, Market and J street bridges)-Request to Bid Construction-directly adjacent to the Cortez and East Village Redevelopment Districts of the Expansion Sub Area of the Centre City Redevelopment Project (Districts 2 and 8)

That the Agency:

(RA-2010-15)

- Item 1. Authorize the Centre City Development Corporation ("Corporation"), acting on behalf of the Agency, to advertise and receive bids for the construction of the I-5 Bridge Streetlights Project ("Project") directly adjacent to the Cortez and East Village Redevelopment Districts of the Expansion Sub Area of the Centre City Redevelopment Project ("Project Area");

- Item 2. Authorize the Executive Director of the Agency, or a designee, to award the construction contract to the lowest responsible bidder, provided that bids are within the established allocation of \$404,900 in the Fiscal Year 2010 (FY 10) Area Wide Public Infrastructure Budget, that the construction contract shall not exceed \$404,900, and that all other public contracting requirements are met;

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Adoption

4. Interstate 5 Bridge Streetlights (First, Second, Third and Sixth avenue bridges and Island Avenue, Market and J street bridges)-Request to Bid Construction-directly adjacent to the Cortez and East Village Redevelopment Districts of the Expansion Sub Area of the Centre City Redevelopment Project (Districts 2 and 8)

(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, acting on behalf of the Agency, to administer said construction contract; and
- Item 5. Make certain findings that the proposed Project benefits the 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 eliminating blighting conditions by adding streetlights to meet current City of San Diego ("City) standards, ensuring adequate public safety for the public inside and adjacent to the Project Area, and that the proposed Project is consistent with the Implementation Plan adopted for the Project Area pursuant to California Health and Safety Code section 33490 (Attachment B-Findings of Benefit).

This activity is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA guidelines Section 15301(c), in that the activity involves minor alterations to existing public facilities, and there are no applicable exceptions under State CEQA Guidelines Section 153000.2 that preclude use of the categorical exemption in this instance.

Centre City Development Corporation Report nos. CCDC-09-32 and CCDC-09-19, dated October 7, 2009.

Council Companion Item no. 330

Motion by Chair Pro Tem Faulconer to Continue to Tuesday, November 17, 2009 for further review.

Seconded by Member Fyre

Passed by the following vote: 8-0

Staff: William Yee, (619) 533-7139

Agency Counsel: Kevin Reisch

Comptroller Action Number: CC 3000002639

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Adoption

1. Ballpark Village (southeast corner of the Park Boulevard and Imperial Avenue)-First Implementation Agreement to the Owner Participation Agreement with Ballpark Village LLC-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (Districts 2 and 8)

That the Redevelopment Agency:

(RA-2010-10)(Rev.10/15/09)

- Item 1. Find that, consistent with the analysis contained in an Environmental Secondary Study dated July 15, 2009, the effects of the proposed activity were adequately Addressed in previously certified environmental documents, and pursuant to the California Environmental quality Act (CEQA) Guidelines Sections 15162 and 15168, no further environmental documentation is required;
- Item 2. Approve the FIA to the OPA and the First Amendment to the Agreement to be Recorded Affecting Real Property attached as Exhibit 1 to the FIA; and
- Item 3. Authorize the Agency Executive Director, or designee, for and on behalf of the Agency to execute the FIA and Exhibit 1, and all other documents necessary and appropriate to carry out and implement the FIA according to its terms, and to administer the Agency's obligations, responsibilities and duties to be performed under the FIA.

In accordance with the Agency's Guidelines for Implementation of the CEQA, an Environmental Secondary Study (SS) dated July 15, 2009 was prepared for the proposed activity. The SS concluded that the proposed activity is covered under the following previously certified environmental documents: the FSEIR; the 2005 Final Addendum to the FSEIR; the 2006 Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Redevelopment Plan for the Centre City Project; and the 2007 Addendum to the FEIR for the 11th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, Amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance and Mitigation, Monitoring and Reporting Program of the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and the Redevelopment Plan for the Centre City Redevelopment Project (collectively "the Environmental Documents").

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Adoption

1. **Ballpark Village (southeast corner of the Park Boulevard and Imperial Avenue)-First Implementation Agreement to the Owner Participation Agreement with Ballpark Village LLC-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (Districts 2 and 8)**

(Continued)

The following findings were derived from the environmental review documented by the SS and Environmental Documents:

- Consistent with the Analysis contained in the SS, the effects of the proposed activity were adequately addressed in the Environmental Documents and the proposed activity is within the scope of the project described therein;
- Based on the SS and Environmental Documents:
 - no substantial changes are proposed in the project which will require major revisions to the Environmental Documents due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - no substantial changes have occurred with respect to the circumstances under which the project is to be undertaken which will require major revisions to the Environmental Documents due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of adoption and certification of the Environmental Documents shows the project would result in new or substantially more severe significant environmental impacts not covered in the previous Environmental Documents or that mitigation measures or alternative found to be infeasible would in fact be feasible or that there are considerable different mitigation measures or alternatives that would substantially reduce one or more significant effects of the project;
- No Negative Declaration, Subsequent Environmental Impact Report (EIR) or Supplement or Addendum to EIR is necessary or required; and
- The proposed action will have no significant effect on the environmental, except as identified and considered in the Environmental Documents and the SS; and

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Adoption

1. **Ballpark Village (southeast corner of the Park Boulevard and Imperial Avenue)-First Implementation Agreement to the Owner Participation Agreement with Ballpark Village LLC-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (Districts 2 and 8)**

(Continued)

- Pursuant to CEQA Guidelines Sections 15162 and 15168, no further environmental documentation is required.

Centre City Development Corporation Report no. CCDC-09-26, dated October 7, 2009.

Motion by Chair Pro Tem Faulconer to Adopt the staff's recommendation, adding a Section 709 to the implementation agreement:

Any proposed hotel or visitor used accommodations on the site shall require CCDC Board and Agency Board (Redevelopment Agency of the City of San Diego) approval prior to Participant's submission of any written design concepts, draft plans, financial analysis, other schematics, or project terms for a hotel or visitor use accommodations. Such approval shall be separate from and in addition to, not in lieu of, any CCDC or Agency approvals required under Resolution 2130 and any other legally-required CCDC or Agency approval and revise all associated documents to comport with the motion.

Seconded by Chair Hueso

Passed by the following vote: 8-0

Staff: John W. Collum, (619) 533-7124

Agency Counsel: Jana Garmo

Redevelopment Agency Resolution and Document numbers R-04449 and D-04449.

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Adoption

2. **Broadway Day Care Center (475 West Broadway) First Amendment to Ground Lease with Broadway Day Care LLC-Columbia Sub Area of the Centre City Redevelopment Project (District 2)- Public Hearing**

That the Redevelopment Agency ("Agency"):

(RA-2010-19)(Cor.Copy)

Approve the proposed First amendment to the Ground Lease ("Amended Ground Lease") between the Agency and Broadway Day Care LLC, to end the lease term for three years and three months, beginning November 11, 2008 to February 11, 2012, which keeps the monthly lease payment the Agency receives in the amount of \$21,229, for a child day care center located at 475 West Broadway in the Columbia sub Area of the Centre City Redevelopment Project.

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 and City Council of San Diego on April 28, 1992 by Resolution no. R-2081 and No. R-279875, respectively (MEIR), and the Secondary Study for the Development of a Federal GSA Child Care Center Pursuant to the DDA, dated and certified July 7, 1995 (Secondary Study), in accordance with and pursuant to the California Environmental Quality Act of 1970 (CEQA) and state and local guidelines adopted pursuant thereto. 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 herein. There are no project changes, changes in circumstances, or new information of substantial importance within the meaning of CEQA Guidelines section 15162 that would warrant any additional environmental review, in connection with approval of the Amendment to the Lease agreement; therefore no further environmental documentation is required pursuant to California Public Resources Code section 21166, and CEQA Guidelines section 15168.

Centre City Development Corporation Report no. CCDC-09-29, dated October 7, 2009.

Staff: David Allsbrook, (619) 533-7112

Agency Counsel: Jana Garmo

Motion by Chair Pro Tem Faulconer to Adopt (with Young not present)

Seconded by Chair Hueso

Passed by the Following Vote: 7-0

Redevelopment Resolution and Document numbers R-04450 and D-04450a (Amended Ground Lease); D-04450b (Memorandum of Understanding)

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3. Allen's Flower Shop (620 Market Street) Lease Agreement with Allen's Flowers and Plants, Inc.-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (District 2)-Public Hearing

That the Redevelopment Agency ("Agency"):

(RA-2010-21)

Enter into an initial five-year Lease Agreement with Max Levy and Brad Levy doing business as Allen's Flowers and Plants, Inc. for the operation of Allen's Flower shop located at 620 Market Street in the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project.

This 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.01

Centre City Development Corporation Report no. CCDC-09-30, dated October 7, 2009.

Staff: Susan Diekman, (619) 533-7142

Agency Counsel: Kendall Berkey

Motion by Chair Pro Tem Faulconer to Adopt

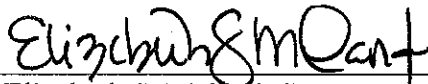
Seconded by Chair Hueso

Passed by the Following Vote: 8-0

Redevelopment Resolution and Document numbers R-04451 and D-04451.

Adjournment

The meeting adjourned as the Redevelopment Agency at 5:20 p.m.



Elizabeth S. Maland, Secretary Redevelopment Agency
of the City of San Diego (jis)