

**SPECIAL REDEVELOPMENT AGENCY MEETING  
NOVEMBER 9, 2010**

The meeting called to order as the City Council at 2:03 p.m. by Council President Pro Tem Faulconer with Council President Hueso not present.

Roll Call      Lightner, Faulconer, Gloria, Young, DeMaio,  
Frye and Emerald

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

Excused:      Hueso

The meeting adjourned as the City Council at 2:11 p.m.

The meeting reconvened as the Special Redevelopment Agency at 2:11 p.m. by Chair Pro Tem Faulconer with Chair Hueso not present.

**Adoption**

**1. Fourth Amendment to the Agreement with Opper & Varco for Environmental Legal Counsel Services Centre City Redevelopment Project (Districts 2, 3, 4, 6, 7 and 8)**

That the Redevelopment Agency ("Agency") approves the proposed Fourth Amendment to the Agreement ("Amendment") for Environmental Legal Counsel Services with Opper and Varco to:

(RA-2011-27)(Cor.Copy)

Item 1. Extend the term of the Agreement through December 2011;

Item 2. Increase the total compensation that may be expended under said Agreement by \$260,000, for a total compensation not to exceed \$845,000; and

Item 3. Authorize the Chief Financial Officer, as delegated, to appropriate, encumber and expend tax increment funds up to \$845,000.

This activity is not a "project: for purposes of 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. The proposed action is an amendment to an existing contract for on-call environmental legal services and is not related to a specific project. Thus, this activity is not subject to CEQA pursuant to State CEQA Guidelines Section 15060 (c)(3).

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**Adoption**

**1. Fourth Amendment to the Agreement with Opper & Varco for Environmental Legal Counsel Services Centre City Redevelopment Project (Districts 2, 3, 4, 6, 7 and 8)**

(Continued)

Centre City Development Corporation Report no. CCDC-10-26 dated November 3, 2010.

Staff: David Allsbrook, 533-7112

Agency Counsel: Charles Jagolinzer

Comptroller Certificate Number: CC3000003661

Motion by Member Frye to Adopt (with Chair Hueso not present)

Seconded by Member Emerald

Passed by the following Vote: 7-0

**Redevelopment Agency Resolution and Document numbers R-04575 and D-04575.**

**2. Island Avenue Pop-Outs Phase Two Public Improvements (Island Avenue, between Sixth and Seventh Avenues, Tenth Avenue and 13<sup>th</sup> Street)-Request to Bid and Budget Amendment-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project Area (District 2)**

That the Agency:

(RA-2011-24)

- Item 1. Amends the Fiscal Year 2010-2011 Budget ("FY 11 Budget") for the Project Area by reallocating \$468,219 from the Public Infrastructure, Areawide Sidewalk Reconstruction Line Item to the East Village Neighborhood, Island Avenue Pop-Outs Phase Two and sidewalk Gap Project Line Item;
- Item 2. Authorizes the expenditure of an amount not to exceed \$1,749, 219 to pay for the cost of construction of the Improvements located within the Project Area;
- Item 3. Authorize the Centre City Development Corporation, Inc. ("Corporation"), on behalf of the Agency, to advertise and receive bids for construction of the Improvements;
- Item 4. Authorizes the Agency Executive Director or designee to award the construction contract to the lowest responsible bidders, provided responsive bids from a responsible contractor are within the established budget of \$1,749,219 and all other requirements are met;
- Item5. Authorizes the Agency Executive Director or designee to execute the construction contract with the lowest responsible bidder for construction of the Improvements;

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**Adoption**

**2. Island Avenue Pop-Outs Phase Two Public Improvements (Island Avenue, between Sixth and Seventh Avenues, Tenth Avenue and 13<sup>th</sup> Street)-Request to Bid and Budget Amendment-East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project Area (District 2)**

(Continued)

(RA-2011-24)

Item 6. Authorizes the Corporation, on behalf of the Agency, to administer the construction contract; and

Item 7. Makes 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 responsible 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.

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 repair of existing damaged sidewalk improvements and the installation of trees, sidewalk pop-outs and ADA compliant ramps. The application of a categorical exemption to this Project is not precluded by any of the exceptions set forth in Sate CEQA Guidelines Section 15300.2.

Centre City Development Corporation Report no. CCDC-10-31 and CCDC-10-09 dated November 3, 2010.

Council Companion Item no. 331

Staff: John Anderson, 533-7140

Agency Counsel: Khashayar Koorosh

Comptroller Certificate Number: CC3000003674

Motion by Member Emerald to Adopt (with Chair Hueso not present)

Seconded by Chair Pro Tem Faulconer

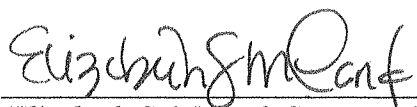
Passed by the following Vote: 7-0

**Redevelopment Agency Resolution number R-04576, and City Council Resolution number R-306314.**

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**Adjournment**

The meeting adjourned as the Special Redevelopment Agency at 2:48 p.m.



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