

UNAPPROVED

**OVERSIGHT BOARD FOR CITY OF SAN DIEGO
REDEVELOPMENT SUCCESSOR AGENCY
MINUTES FOR
BOARD MEETING
OF
TUESDAY, NOVEMBER 27, 2012
AT 2:00 PM
IN THE CIVIC SAN DIEGO BOARD ROOM
401 B STREET, SUITE 400, SAN DIEGO, CA 92101**

Table of Contents

CHRONOLOGY OF THE MEETING

ATTENDANCE DURING THE MEETING

CHAIR, BOARD, OVERSIGHT BOARD CONTACT COMMENT

APPROVAL OF COMMITTEE MINUTES

NON-AGENDA PUBLIC COMMENT

ADOPTION AGENDA, CONSENT ITEMS

ITEM 1 – Report from the Successor Agency regarding AUTHORIZATION TO ALLOW TEMPORARY ACCESS TO SUCCESSOR AGENCY PROPERTIES FOR SPECIAL EVENTS * *Consent*

ITEM 2 Report from the Successor Agency regarding APPROVAL OF THE FIRST AMENDMENT TO THE OWNER PARTICIPATION AGREEMENT FOR MARKET CREEK PLAZA (EUCLID AVENUE SOUTH OF MARKET STREET) – CENTRAL IMPERIAL COMPONENT AREA OF THE SOUTHEASTERN SAN DIEGO MERGED REDEVELOPMENT PROJECT AREA

ITEM 3 Report from the Successor Agency regarding AUTHORIZATION TO BID AND AWARD THE CONSTRUCTION CONTRACT AND TO UNDERTAKE OTHER EXPENDITURES FOR THE HORTON PLAZA PARK IMPROVEMENTS IN ACCORDANCE WITH THE EXISTING OWNER PARTICIPATION AGREEMENT FOR THE HORTON PLAZA RETAIL CENTER – HORTON PLAZA REDEVELOPMENT PROJECT

COMMUNICATIONS RECEIVED

ADJOURNMENT

UNAPPROVED

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chair Mark Nelson at 2:04 p.m. The meeting was adjourned by Chair Mark Nelson at 2:35 p.m.

ATTENDANCE DURING THE MEETING:

PRESENT:

Mark Nelson, City of San Diego appointee
James Davies, City of San Diego appointee
Dr. Bonnie Ann Dowd, California Community Colleges appointee
Andra Donovan, Esq., County Superintendent of Education appointee *via teleconference
Supervisor Ron Roberts, County of San Diego appointee

ABSENT:

Peter Q. Davis, County of San Diego appointee
Maureen Stapleton, Special District appointee

CLERK:

Nancy Gudino

ROLL CALL:

- (1) Ron Roberts- present
- (2) Peter Q. Davis- absent
- (3) Mark Nelson-present
- (4) James Davies-present
- (5) Maureen Stapleton-absent
- (6) Bonnie Ann Dowd-present
- (7) Andra Donovan-present

Approval of committee minutes from October 16, 2012 meeting.

BOARD ACTION: Action Time: 2:05 p.m.

MOTION BY RON ROBERTS TO APPROVE MINUTES. Second by Andra Donovan.

Passed by the following vote:

Yea: Bonnie Ann Dowd, Mark Nelson, Ron Roberts, James Davies, Andra Donovan

Nay: (None);

Recused: (None);

Not Present: Maureen Stapleton, Peter Q. Davis.

ITEM 1 – Report from the Successor Agency regarding AUTHORIZATION TO ALLOW TEMPORARY ACCESS TO SUCCESSOR AGENCY PROPERTIES FOR SPECIAL EVENTS *
Consent

DESCRIPTIVE SUMMARY OF ITEM:

Adoption of a resolution:

UNAPPROVED

Authorizing the Successor Agency to allow temporary access to its properties for special events subject to the terms and conditions of a Right of Entry Permit which shall include standard requirements for the benefit and protection of the Successor Agency's financial interests, provided that the organizer of the special event first obtains all approvals and permits required by law, until such time that the Long Range Property Management Plan is approved by the Oversight Board and the Department of Finance.

STAFF RECOMMENDATION:

Approve proposed action.

BOARD ACTION: Action Time: 2:06 PM

MOTION BY RON ROBERTS TO APPROVE RESOLUTION. Second by James Davies.

Passed by the following vote:

Yea: Bonnie Ann Dowd, Mark Nelson, Ron Roberts, James Davies, Andra Donovan

Nay: (None);

Recused: (None);

Not Present: Maureen Stapleton, Peter Q. Davis.

ITEM 2 Report from the Successor Agency regarding APPROVAL OF THE FIRST AMENDMENT TO THE OWNER PARTICIPATION AGREEMENT FOR MARKET CREEK PLAZA (EUCLID AVENUE SOUTH OF MARKET STREET) – CENTRAL IMPERIAL COMPONENT AREA OF THE SOUTHEASTERN SAN DIEGO MERGED REDEVELOPMENT PROJECT AREA

DESCRIPTIVE SUMMARY OF ITEM:

Adoption of a resolution:

(1) Approving the First Amendment to the Owner Participation Agreement (“First Amendment”), including all attachments thereto, between the Successor Agency and Market Creek Partners, LLC, a California limited liability company (MCP), to confirm a reduced scope of development and a corresponding reduction in reimbursement for completed public improvements relating to the Market Creek Plaza; and

(2) Authorizing the Successor Agency's payment of \$2,400,000 to MCP as reimbursement for the cost of completed public improvements relating to the Market Creek Plaza located within the Central Imperial Component Area of the Southeastern San Diego Merged Redevelopment Project Area.

STAFF RECOMMENDATION:

Approve proposed action.

BOARD DISCUSSION:

Public Comment in favor submitted by: Chip Buttner.

BOARD ACTION: Action Time: 2:18 PM

MOTION BY RON ROBERTS TO APPROVE RESOLUTION. Second by Andra Donovan.

Passed by the following vote:

Yea: Bonnie Ann Dowd, Mark Nelson, Ron Roberts, James Davies, Andra Donovan

Nay: (None);

Recused: (None);

Not Present: Maureen Stapleton, Peter Q. Davis.

UNAPPROVED

ITEM 3 - Report from the Successor Agency regarding AUTHORIZATION TO BID AND AWARD THE CONSTRUCTION CONTRACT AND TO UNDERTAKE OTHER EXPENDITURES FOR THE HORTON PLAZA PARK IMPROVEMENTS IN ACCORDANCE WITH THE EXISTING OWNER PARTICIPATION AGREEMENT FOR THE HORTON PLAZA RETAIL CENTER – HORTON PLAZA REDEVELOPMENT PROJECT

DESCRIPTIVE SUMMARY OF ITEM:

Adopt a resolution:

- Authorizing the Successor Agency or its agent, Civic San Diego (“CivicSD”), to solicit bids and award a contract to the lowest responsible bidder for construction of the Horton Plaza park improvement project (“Project”) in order to fulfill an enforceable obligation pursuant to the Owner Participation Agreement dated January 2011 (“OPA”) for the Horton Plaza Retail Center (“Retail Center”), using funds available in the third Recognized Obligation Payment Schedule (“ROPS III”) up to \$10,982,141; and
- Authorizing the Successor Agency or its agent, CivicSD, to enter into contracts and make expenditures up to \$1,025,171, using funds available in ROPS III, for additional work related to the Project, including: (i) the acquisition of furniture, fixture, and equipment for the Project in an amount not to exceed \$200,000; (ii) the payment of certain indirect costs of the Project, including additional design services, construction phase consultants, permits and plan check fees and other miscellaneous costs, in an amount not to exceed \$280,589; (iii) an agreement with the landscape architecture firm of Walker Macy for construction administration support services for the Project in an amount not to exceed \$294,582; and (iv) an agreement with a consultant for construction management and inspection services for the Project in an amount not to exceed \$250,000.

STAFF RECOMMENDATION:

Approve proposed action.

BOARD DISCUSSION:

Public Comment in favor submitted by: Kim Brewer.

Staff confirmed for board members Roberts and Dowd that contingency figures were calculated into the estimated cost of the project, staff is actively looking into independent fund opportunities, and there are design modifications that can be made to lower the overall cost if bids do not meet the estimated expectations.

BOARD ACTION: Action Time: 2:34 PM

MOTION BY ANDRA DONOVAN TO APPROVE RESOLUTION. Second by Bonnie Ann Dowd.

Passed by the following vote:

Yea: Bonnie Ann Dowd, Mark Nelson, Ron Roberts, James Davies, Andra Donovan

Nay: (None);

Recused: (None);

Not Present: Maureen Stapleton, Peter Q. Davis.

ADJOURNMENT:

The meeting was adjourned by Chair Mark Nelson at 2:35 p.m.