

COPY VS

F I R S T A M E N D E D A G R E E M E N T

THIS FIRST AMENDED AGREEMENT is made by THE CITY OF SAN DIEGO, a municipal corporation, herein called "City," and the REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, herein called "Agency"

R E C I T A L S

- A. City desires Agency to take all necessary steps to implement redevelopment in the City.
- B. City desires to furnish management and administrative services to Agency to carry out the redevelopment activities.
- C. It is the intent of this agreement to take advantage of the efficiencies of having the City act as agent for the Agency to the extent allowed by law for purposes of expediting redevelopment activities such as, but not limited to, land acquisition, relocation, demolition, construction and consultant services.
- D. This first amended agreement amends the original agreement, which was approved by City on April 10, 1975 and by Agency on March 3, 1975, and which is on file in the Office of the City Clerk as Document No. 750851 and in the Office of the Secretary to the Redevelopment Agency as Document No. 318.

NOW, THEREFORE, in consideration of the recitals and the mutual obligations of the parties as herein expressed, City and Agency agree as follows:

DOCUMENT NO. 1843
 FILED JUL 30 1991
 OFFICE OF THE REDEVELOPMENT AGENCY
 SAN DIEGO, CALIF.

DOCUMENT NO. RR-278441
 FILED JUL 30 1991
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

1. City will provide whatever management and administration is requested by Agency to carry out any redevelopment plan adopted by City for any project, pursuant to the California Community Redevelopment Law, Health and Safety Code, Section 33000 et seq.

2. Services to be rendered by City to Agency shall include but not be limited to providing the following:

- a. A redevelopment staff.
- b. Necessary accounting services.
- c. Investment services.
- d. Purchasing services.
- e. Building inspection services.
- f. Legal services.
- g. Such further services and/or personnel as may be required by Agency.

All services provided by City to Agency will be carried out in accordance with Agency's regulations and policies unless no Agency regulation or policy exists, in which case City regulations and policies shall apply. This provision shall not apply to the Centre City Development Corporation or the Southeast Economic Development Corporation.

3. The City, as agent for the Agency, may let contracts for implementation of any Redevelopment Project and shall carry through on such contracts to completion. Such contracts may include but not be limited to contracts for construction of improvements, demolition of structures, consultant services,

design services and audit services. Agency hereby authorizes the City Auditor (who also acts as auditor for the Agency) to encumber Agency funds sufficient to cover costs incurred and payments made by City in connection with such contracts. City shall let contracts by following standard City procedures for consultant selection, competitive bidding or other practices as appropriate. The contracts shall be administered and the work shall be performed in accordance with City standards in substantially the same manner and upon the same conditions as are normally followed by City. The City Auditor is hereby authorized to release such amounts of Agency funds as City requires to meet payments on the contracts a reasonable time prior to the time when such payments are due.

4. The City shall submit a statement of expenses to Agency on a periodic basis for services rendered under paragraphs 2, and 3 herein. Non-personnel expenditures which are necessary for City to carry out redevelopment activities on behalf of Agency may be billed directly to the Agency. Non-personnel expenditures shall include but not be limited to office supplies, postage, equipment, travel and training, mileage and printing costs. If budgeted non-personnel costs are pro-rated among projects, the City Auditor shall approve the basis for pro-ration.

Agency shall retain the right to inspect the appropriate accounts of City regarding expenses incurred under paragraphs 2 and 3.

5. Agency agrees to take any and all necessary steps in order to implement Redevelopment Projects.

6. In carrying out the intent of this agreement, City, while involved in the management and administrative duties occasioned by this agreement, shall be deemed agent of Agency and not an independent contractor.

7. This first amended agreement shall commence upon execution hereof by City and by Agency, and shall continue in effect until terminated by either party by thirty (30) days' written notice of terminations to the other party.

IN WITNESS WHEREOF, this first amended agreement is executed by the City of San Diego, acting by and through its City Manager, pursuant to Resolution No. R-278441 authorizing such execution and by the Executive Director of the Redevelopment Agency of the City of San Diego, pursuant to Redevelopment Agency Resolution No. R-1992.

THE CITY OF SAN DIEGO

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO

By


James L. Spotts
Property Director

By


Maureen A. Stapleton
Deputy Executive Director

I HEREBY APPROVE the form and legality of this foregoing agreement this 14th DAY OF August, 1991.

JOHN W. WITT, ~~City Attorney~~

By


Allisyn L. Thomas, Deputy

(R-92-104)

RESOLUTION NUMBER R- 278441

ADOPTED ON JUL 30 1991

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING EXECUTION OF A FIRST
AMENDED AGREEMENT FOR PROVISION OF SERVICES
TO THE REDEVELOPMENT AGENCY BY THE CITY OF
SAN DIEGO.

BE IT RESOLVED, by the Council of The City of San Diego,
that the City Manager be and he is authorized and empowered to
execute, for and on behalf of the City, a First Amended Agreement
with the Redevelopment Agency of The City of San Diego for
provision of services to the Redevelopment Agency, under the
terms and conditions set forth in the form of First Amended
Agreement on file in the office of the City Clerk as Document
No. RR- 278441.

APPROVED: JOHN W. WITT, City Attorney

BY


Allisyn L. Thomas
Deputy City Attorney

ALT:lc
07/11/91
Or.Dept:Prop.
R-92-104
Form=r+t

Passed and adopted by the Council of The City of San Diego on July 30, 1991 by the following vote:

YEAS: Wolfsheimer, Hartley, Pratt, Behr, Henderson, McCarty, Mayor O'Connor.

NAYS: None.

NOT PRESENT: Roberts, Filner.

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California

(SEAL)

By: RHONDA R. BARNES, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. R- 278441, passed and adopted by the Council of The City of San Diego, California on July 30, 1991.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California

(SEAL)

By: Rhonda R. Barnes, Deputy

(RA-92-1)

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. 1992
ADOPTED ON JUL 30 1991

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO AUTHORIZING THE
EXECUTION OF A FIRST AMENDED AGREEMENT FOR
PROVISION OF SERVICES TO THE REDEVELOPMENT
AGENCY BY THE CITY OF SAN DIEGO.

BE IT RESOLVED, by the Redevelopment Agency of The City of
San Diego, that the Executive Director be and he is authorized
and empowered to execute, for and on behalf of the Redevelopment
Agency of The City of San Diego, a First Amended Agreement with
The City of San Diego for provision of services to the
Redevelopment Agency, under the terms and conditions set forth in
the form of First Amended Agreement on file in the office of the
Secretary to the Redevelopment Agency as Document No. 1843.

APPROVED: JOHN W. WITT, General Counsel

By


Allisyn L. Thomas
Deputy Counsel

ALT:lc
07/11/91
Or.Dept:Prop.
RA-92-1
Form=ra.t