

(RA-86-179 REV. 1)
REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. 1319
ADOPTED ON APRIL 21, 1986

WHEREAS, in April 1978, The Council of the City of San Diego (the "Council"), by Resolution No. R-220617, authorized and directed the termination of agreements with CALTRANS relative to the construction of rescinded Route 252 (the "Route"); and

WHEREAS, the Council has voted on four separate occasions on April 4, 1978, February 8, 1982, February 12, 1985 and February 19, 1985, with regard to rescinding or providing alternatives to the Route; and

WHEREAS, on March 26, 1980, the State Transportation Commission, by Resolution No. HRU-80-4, voted to rescind the adopted State Route and dispose of all previously acquired right-of-way, and subsequently Federal Aid Interstate and Federal Aid Urban Funding reserved for construction of the Route were reallocated; and

WHEREAS, the State Superior Court for the State of California dismissed on June 4, 1980, a suit filed by the City of National City, which challenged adequacy of the Environmental Impact Report filed in conjunction with the rescission of the freeway Route; and

WHEREAS, on February 7, 1983, such dismissal was subsequently upheld on appeal by the Fourth District Court of Appeal; and

WHEREAS, on March 11, 1982, The City of San Diego certified Environmental Impact Report No. EQD 80-0707, which established that the sale of excess right-of-way by the State and its acquisition by The City of San Diego for redevelopment purposes would not result in any significant environmental impacts; and

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") certified a revised Environmental Impact Report on February 12, 1985, by Resolution No. 1054; and

WHEREAS, in Fiscal Year 1983, the Agency allocated \$1,225,000.00 (Fund 18519, Dept. 5717, Or. 1710) for the purpose of purchasing the rescinded corridor, and such funds have been authorized for such use in the Fiscal Year 1986 Southeast Economic Development Corporation ("SEDC") Administrative and Project Budgets; and

WHEREAS, the Agency on August 23, 1983, by Resolution No. 871, stated its commitment to acquire the rescinded Route and appointed SEDC as principal negotiator for the Agency with regard to such acquisition and, thence, reaffirmed its commitment on April 1, 1986, by Resolution No. 1302; and

WHEREAS, both the San Diego Association of Governments ("SANDAG") and The City of San Diego have determined that alternative solutions to the freeway are feasible to provide sufficient traffic circulation in the area; and

WHEREAS, the Agency on April 1, 1986, by Resolution No. 1304, and the Council on April 15, 1986, by Ordinance No. O-16622 (New Series), adopted the Southcrest Redevelopment Plan, which sets forth a program for development of the rescinded Route 252; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of San Diego, that the Executive Vice President for SEDC, or his designee, on behalf of the Agency, is hereby authorized and directed to:

1. Negotiate with and make an offer to CALTRANS, or such other appropriate representative of the State Transportation Commission, for acquisition of the rescinded Route, with such offer to include, but not be limited to, a purchase price not to exceed \$2,960,000.00 and the standard state provisions of a down-payment equal to thirty percent (30%) of total purchase price with terms and conditions to be mutually agreed upon by the parties.

2. Expend up to \$1,000,000.00 from the aforesaid Fund 18519 solely and exclusively for the purpose of providing to the State of California a down-payment for the purchase of the rescinded Route.

3. Expend the remainder of Fund 18519, Dept. 5717, Or. 1710, plus such other sums as shall be authorized annually by the Agency including, but not limited to, land sale proceeds and tax increment generated from within the Southcrest Redevelopment Project area, to fund the balance of the purchase price.

BE IT FURTHER RESOLVED, that the Executive Director of the Agency, or his designee, is hereby authorized and directed to execute such documents subject to approval of Agency Counsel, including a grant deed, and perform such other tasks as shall be required to consummate the purchase of the rescinded Route.

APPROVED: John W. Witt, General Counsel

By

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