

(RA-87-42)  
REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NO. 1416  
ADOPTED ON OCTOBER 27, 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termination of agreements with the California Department of Transportation ("CALTRANS") relative to the construction of rescinded State Route 252 (the "Route"); and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 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 EQD No. 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WHEREAS, the Agency on August 23, 1983, by Resolution No. 871, stated its commitment to acquire the rescinded Route and appointed Southeast Economic Development Corporation, Inc., as principal negotiator for the Agency with regard to such acquisition and, thence,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; and

WHEREAS, on April 21, 1986, by Resolution No. 1319, the Agency authorized and directed the Executive Director of the Agency, or his designee, to execute appropriate and necessary documents for the purchase of the rescinded Route from CALTRANS; and

WHEREAS, the California Transportation Commission has on several occasions, including April 24, 1986, August 28, 1986 and October 16, 1986, considered the transfer of the Route right-of-way; and

WHEREAS, on October 16, 1986, the California Transportation Commission approved the elements of a program whereby the Agency may acquire the Route right-of-way; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of San Diego, that the Executive Director, or his designee, is hereby authorized and directed to draft and negotiate a Memorandum of Understanding among the State of California, the Agency and as necessary, the City of National City, in accordance with the action of the California Transportation Commission on October 16, 1986, related to the Agency's purchase of the Route right-of-way.

BE IT FURTHER RESOLVED, that said Memorandum of Understanding shall be presented to the Agency for its approval within sixty (60) days from the date hereof.

APPROVED: John W. Witt, General Counsel

By

Janis Sammartino Gardner

Deputy Counsel

JSG:ta:704

10/22/86

Or.Dept:Prop.

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