

ORDINANCE NO. 12626
(New Series)

O. 79-221

APR 9 1979

AN ORDINANCE AUTHORIZING THE SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD TO UTILIZE CERTAIN PORTIONS OF THE STREETS OF THE CITY OF SAN DIEGO PURSUANT TO SECTIONS 103.1 AND 105 OF THE SAN DIEGO CITY CHARTER FOR THE PURPOSE OF CONSTRUCTING AND OPERATING A LIGHT RAIL TRANSIT SYSTEM.

WHEREAS, on October 24, 1978 this City Council, by Resolution No. 222092 approved in concept the early implementation of a Light Rail Transit System ("LRT") as proposed by the San Diego Metropolitan Development Board ("MTDB") and approved in concept the alignment for the LRT in the City of San Diego from the Santa Fe Depot at "C" Street and Kettner Boulevard, east to 12th Avenue on "C" Street, then south along 12th Avenue and the San Diego and Arizona Eastern Railway right-of-way to the International Border at San Ysidro; and

WHEREAS, Sections 103.1 and 105 of the San Diego City Charter provide, among other things, that The City of San Diego, through its City Council, has the power to provide reasonable terms and conditions under which such transportation facilities may be conducted within the city and that plenary control over the primary and secondary uses of the streets of the City of San Diego are vested in the City and may be granted under such terms and conditions for the use of the public rights-of-way as determined by the City Council; and

WHEREAS, such terms and conditions have been memorialized and agreed to by the governing board of the MTDB by a Memorandum of Understanding which is attached hereto as Enclosure (1) and by this reference made an integral part hereof; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

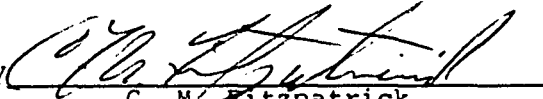
Section 1. That pursuant to the provisions of Sections 103.1 and 105 of the San Diego City Charter the San Diego Metropolitan Development Board be and it is hereby authorized to construct and operate a Light Rail Transit System in the City of San Diego from the Santa Fe Depot at "C" Street and Kettner Boulevard, east to 12th Avenue on "C" Street, then south along 12th Avenue and the San Diego and Arizona Eastern Railway right-of-way to the International Border at San Ysidro.

Section 2. That the Memorandum of Understanding dated March 26, 1979, attached hereto as Enclosure (1) and by this reference made an integral part hereof, is hereby approved, and the City Manager is hereby authorized to execute said Memorandum of Understanding.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


C. M. Fitzpatrick
Senior Chief Deputy

CMF:vl:920.30
3/23/79

12626

Passed and adopted by the Council of The City of San Diego on APR 9 1979
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

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

(Seal)

By Rita Andrews, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 26 1979

, and on

APR 9 1979

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

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

(Seal)

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 12626 Adopted APR 9 1979