

RESOLUTION NO. 293315

ADOPTED ON JUN 19 2000

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER TO TAKE SPECIFIED ACTIONS AND ASSIST THE UPTOWN PARKING METER DISTRICT ADVISORY BOARD, OPERATING THROUGH THE UPTOWN PARTNERSHIP, INC., IN ACCORDANCE WITH THE CITY'S REQUIRED PROCESS FOR ENTERING INTO PURCHASE AGREEMENTS FOR REAL PROPERTY, CONSISTENT WITH THE PROVISIONS OF COUNCIL POLICY 100-18, AND TO ALLOW FOR THE EXPENDITURE OF PARKING METER DISTRICT 2 (UPTOWN) FUNDS FOR THE PURPOSE OF MAKING AN ESCROW DEPOSIT.

WHEREAS, the Council of the City of San Diego (the "Council") by Resolution R-288408 adopted on March 4, 1997, established City Council Policy 100-18, the Parking Meter Revenue Allocation and Expenditure Policy (the "Policy"); and

WHEREAS, under said Policy, a Program is established to allocate a percentage of the total parking meter revenues generated by The City of San Diego to three (3) designated Parking Meter Districts to address parking and parking-related improvements in those areas; and

WHEREAS, the Public Safety and Neighborhood Services Committee of the Council on October 27, 1999, reviewed the District 2 one-year and five-year parking improvement plans, as represented within The Uptown Strategic Mobility Plan; and

WHEREAS, the Council, by Resolution R-292469 adopted on November 22, 1999, designated the Uptown Parking Meter District Advisory Board as the advisory board for the Uptown Parking Meter District (District 2) and allocated an amount not to exceed \$1,025,465 from Fund 70303 to implement the activities described in the Parking Meter District 2 one-year implementation plan, as represented within The Uptown Strategic Mobility Plan; and

WHEREAS, the District 2 one-year parking improvement plan, as represented within The Uptown Strategic Mobility Plan approved by the Council by Resolution R-292469 adopted on November 22, 1999, recommends investigating underutilized or vacant properties in the Uptown Center for off-street parking and investigating the feasibility of constructing a public parking

structure; NOW, THEREFORE,

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

1. The City Manager or his designee shall assist the Uptown Parking Meter District Advisory Board in investigating the feasibility of acquiring real property in the Uptown Parking Meter District, as recommended in the applicable parking improvement plans, for off-street parking and investigating the feasibility of constructing a public parking structure. Assistance shall include: evaluating the viability of proposed acquisition of vacant or underutilized real property, examining zoning and CEQA environmental issues; obtaining a property appraisal; ordering a Title Report; investigating public/private ownership or lease arrangements, reviewing financing and purchase options; review of all financing documents before they are finalized and approved by lenders; and assessing relocation, indemnification and insurance considerations.

2. Acting on behalf of the City of City Diego, the Uptown Parking Meter District Advisory Board, operating through the Uptown Partnership, Inc., a 501(c)(3) nonprofit corporation [Partnership], may negotiate and enter a purchase agreement for any real property which satisfies the following criteria:

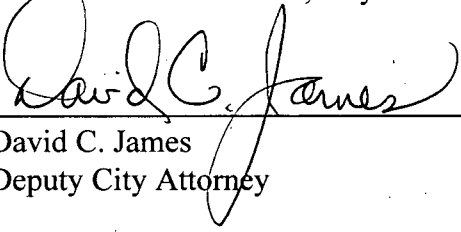
- a. The property must be geographically located within the Uptown Parking Meter District; and,
- b. The property, if acquired, must be suitable to substantially furthering the goals and objectives of the Uptown Strategic Mobility Plan, or its successor plan, for increasing the amount of off-street parking available to the public. The property must be suitable for development with surface or structured parking lots; if a developed property is acquired, it must have substantial, or the potential to have substantial, excess parking capacity on surface lots or within the structure.
- c. The City Manager and the Partnership must agree to structure the real estate transaction with an ownership or leasing arrangement whereby the acquired land and/or improvements would be encumbered in perpetuity with enforceable covenants or restrictions or other adequate protections in favor of the City to ensure that the acquired property will be used to enhance public parking.
- d. The close of escrow must be made contingent upon certification CEQA compliance, City staff verification of a fair market value purchase price and final

City Council action to approve any real property acquisition.

3. That the City Auditor and Comptroller is authorized to approve the expenditure of an amount not to exceed \$120,000 from Fund 70303 (for Parking Meter District 2), as authorized by Resolution R-292469 or future City Council appropriations for Parking Meter District 2, for the purpose of making an escrow deposit which will secure time for City staff and the Uptown Parking Meter District Advisory Board to appropriately evaluate the viability of using public funds to acquire real property in the Uptown Center in order to provide public off-street parking facilities.

APPROVED: CASEY GWINN, City Attorney

By

  
\_\_\_\_\_  
David C. James  
Deputy City Attorney

DCJ:amp

06/07/00

Aud.Cert.: ~~N/A~~ 2001239

Or.Dept:Eco.Dev.& Comm.Serv.

R-2000-1577

Form=r-t

**The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2001239  
ORIGINATING DEPT. NO.: 70303

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount 120,000.00 Fund 70303

Purpose Authorizing the expenditure of funds for escrow deposit for the Uptown Parking Meter

District \_\_\_\_\_

Date June 9, 2000 By: *Yeshi Bezuneh*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	70303	70303		9544	070303				\$120,000.00
TOTAL AMOUNT										\$120,000.00

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ \_\_\_\_\_

Vendor \_\_\_\_\_

Purpose \_\_\_\_\_

Date \_\_\_\_\_ By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

*R-* 293315

JUN 19 2000

AC 2001239