

(O-2001-120)

ORDINANCE NUMBER O-18932 (NEW SERIES)

ADOPTED ON MAR 20 2001

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A PUBLIC USE LEASE (PARCEL A) BETWEEN THE CITY OF SAN DIEGO AND INTERNATIONAL GATEWAY ASSOCIATES, LLC, FOR PARK AND RIDE FACILITIES AT THE INTERNATIONAL GATEWAY OF THE AMERICAS SHOPPING CENTER (PARCEL A).

WHEREAS, International Gateway Associates, LLC, a Delaware limited liability company [IGA], is the owner of that certain real property commonly known as the International Gateway of the Americas Shopping Center, located on the west side of Virginia Avenue and the south side of Camino de la Plaza in the San Ysidro community of San Diego; and

WHEREAS, the City of San Diego, a charter city, is authorized pursuant to Section 99 of the Charter of the City of San Diego to enter into binding agreements for a term in excess of five years by ordinance; and

WHEREAS, IGA has agreed to lease certain land at the International Gateway of the Americas Shopping Center to the City for use as a Park and Ride facility for a thirty year term, subject to the terms and conditions of the Public Use Lease (Parcel A); and

WHEREAS, the City has reviewed and considered Mitigated Negative Declaration [MND] SC No. 98031064 for the International Gateway of the Americas Project, which was

previously certified on May 12, 1998, by City Council Resolution No. R-290105, and determined that the MND covers this lease; and

WHEREAS, on MAR 20 2001, 2001, the Council of the City of San Diego, after giving notice pursuant to Section 99 of the Charter of the City of San Diego, held a hearing for the purpose of considering entry into the Public Use Lease (Parcel A); and

WHEREAS, the City Council has reviewed and considered the Public Use Lease (Parcel A) and determined the content of it to be complete and correct; NOW, THEREFORE,

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

Section 1. That the City Council finds and determines the facts stated to be true.

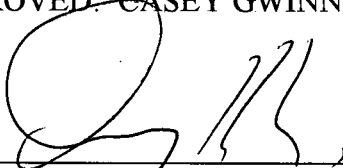
Section 2. That the City Council, by at least a two-thirds majority of the members elected to the Council, approves the Public Use Lease (Parcel A), and authorizes and directs the City Manager to execute the Public Use Lease (Parcel A) in the name of the City of San Diego not later than fifteen days following the effective date of the ordinance. Failure of IGA to execute the Public Use Lease (Parcel A) within thirty days shall render this action null and void. A copy of the Public Use Lease (Parcel A) is on file in the office of the City Clerk as Document No.

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Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By  _____
Douglas K. Humphreys
Deputy City Attorney

DKH:lc
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Or.Dept:Redev.
Aud.Cert:N/A
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