

RESOLUTION NUMBER R- 300856

ADOPTED ON SEP 20 2005

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER OR DESIGNEE TO NEGOTIATE A FRANCHISE AGREEMENT, AND SUBMIT AN APPLICATION FOR A PRESIDENTIAL PERMIT WITH THE U.S. STATE DEPARTMENT, FOR PURPOSES OF IMPLEMENTING THE LAS AMERICAS RIVER PEDESTRIAN BRIDGE.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the San Ysidro Redevelopment Project Area [Project]; and

WHEREAS, the Agency entered into a Disposition and Development Agreement [Las Americas DDA] with International Gateway Associates, LLC dated June 2, 1998, subsequently amended by five implementation agreements, to develop a large-scale mixed use project on a 67-acre site which consists of 1.4 million square feet of space for retail-commercial, restaurant, housing, and a River Pedestrian Bridge [Bridge] that includes a new Port of Entry connecting San Ysidro and Tijuana; and

WHEREAS, on or about December 20, 2004, the Agency Executive Director approved a Partial Assignment and Assumption Agreement between International Gateway Associates, LLC and International Gateway East, LLC, whereby International Gateway Associates, LLC conveyed all interests under the DDA that pertain to Parcels E-1, E-2, E-3, E-4 and D to International Gateway East, LLC [Developer].

WHEREAS, the City of San Diego [City], with the help of International Gateway Associates, LLC submitted a Presidential Permit application with the U.S. State Department in

1999 and 2001 for implementation of the Bridge. Both applications were not approved due to lack of necessary information and shifts in U.S. Government priorities as a result of the events of "9/11;"and

WHEREAS, the City and Developer wish to continue pursuing the development of the Bridge at Las Americas as contemplated by the Las Americas DDA; and

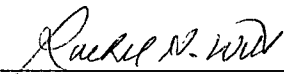
WHEREAS, the City and Developer wish to enter into negotiations to develop a franchise agreement that will facilitate the development of the Bridge; NOW, THEREFORE,

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

1. That the City Manager, or designee, is authorized to negotiate with International Gateway East, LLC for purposes of developing a franchise agreement to implement the Las Americas River Pedestrian Bridge.

2. That the City Manager, or designee, is authorized to submit an application for a Presidential Permit with the U.S. State Department for purposes of implementing the Las Americas River Pedestrian Bridge.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Rachel H. Witt
Chief Deputy City Attorney

RHW:als
09/07/05
Or.Dept:Comm.&Econ.Dev
R-2006-212
MMS#2440

R-300856