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ORDINANCE NUMBER O- 19755 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 30 2008

ORDINANCE APPROVING CITY'S ACCEPTANCE OF OWNERSHIP OF THE PEDESTRIAN BRIDGE AND BRIDGE PROJECT IMPROVEMENTS UPON ITS COMPLETION FROM REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND CITY'S ACCEPTANCE OF THE MAINTENANCE OBLIGATIONS FOR THE PEDESTRIAN BRIDGE AND ALL BRIDGE PROJECT IMPROVEMENTS.

WHEREAS, the Redevelopment Agency of the City of San Diego and the City of San Diego [the Parties] recognize the benefit in construction of a Pedestrian Bridge, and related improvements, across Harbor Drive at Park Boulevard [Project], to provide safe pedestrian access from the east side of Harbor Drive to the bay side, and desire to construct such a Project;

WHEREAS, the Agency, through Centre City Development Corporation [Corporation], has agreed to and will provide the funding and management skills for construction of the Project;

WHEREAS, the Parties find it in their best interests to expedite the design and construction of the Project, with an anticipated completion date of July 2010;

WHEREAS, the Parties agree that once construction of the Project is completed, the City of San Diego [City] shall maintain ownership of the Project and shall be responsible for operation and maintenance of the Project; NOW, THEREFORE,

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

Section 1: The City shall participate in and approve the final inspection of the Project prior to final acceptance. The City has previously approved the project design and bid specifications.

Section 2: The City shall operate and maintain the Pedestrian Bridge, as well as the related improvements, including the elevator and adjacent plazas, once completed.

Section 3. That an annual expenditure of an amount not to exceed \$40,000 (with CPI adjustments annually) is authorized, solely and exclusively to provide funds for the maintenance and operation of the Project, as long as the Project exists.

Section 4. That the City has certified the Final Subsequent Environmental Impact Report to the MEIR for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments (referred to herein as the "SEIR") through Resolution No. 292363, and the Project is a redevelopment implementation activity whose environmental impacts were assessed in the MEIR/SEIR. The Corporation, acting on behalf of the Agency, prepared a Mitigated Negative Declaration [MND] in accordance with and pursuant to the California Environmental Quality Act of 1970 [CEQA] and state and local regulations and guidelines adopted pursuant thereto, which assessed the environmental impacts of the development of the Project. The Council considered the environmental effects of the Project as shown in the MEIR/SEIR and the MND, and the Council previously certified the MND through Resolution No. 300121.

Section 5. 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 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Carol A. Leone  
Carol A. Leone  
Deputy City Attorney

CAL:cfq

04/23/08

Or.Dept:CCDC

O-2008-147

Council: Companion R-2008-963, 964, 965, 966

RA: Companion RA-2008-115, 116, 116

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008

ELIZABETH S. MALAND  
City Clerk

  
Deputy City Clerk

Approved: 5.30.08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor