

Item 53
3/19/19
(O-2019-95)

ORDINANCE NUMBER O- 21059 (NEW SERIES)

DATE OF FINAL PASSAGE MAR 25 2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF UNDERSTANDING WITH THE
SAN DIEGO METROPOLITAN TRANSIT SYSTEM FOR
LIGHT RAIL TRANSIT STREET USE.

WHEREAS, this action will execute a memorandum of Understanding (MOU) with the San Diego Metropolitan Transit System (MTS) governing maintenance and operations of the Mid-Coast Corridor extension of San Diego Trolley light rail transit (LRT) system on City streets and consolidates previous MOUs from earlier segments of the LRT system into one document; and

WHEREAS, the Mid-Coast Corridor Transportation Project, under construction by the San Diego Association of Governments (SANDAG), will extend the San Diego Trolley light rail transit (LRT) system north from Old Town to University City. The City Council adopted resolutions in 1995, 2013, and 2015 in support of the Mid-Coast Corridor project and upon completion of construction, the LRT extension will be turned over to the San Diego Metropolitan Transit System (MTS) for operation and maintenance as part of the UCSD Blue Line of the San Diego Trolley; and

WHEREAS, this MOU with MTS governs operation and maintenance issues where the LRT system is within City street right-of-way, and governs operation and maintenance provisions regarding the Mid-Coast Corridor; and

WHEREAS, MTS was created in 1976 by State of California legislation granting MTS authority to use public street rights-of-way for the LRT system. The City Council adopted a

resolution in 1978 supporting the use of public street right-of-way for the LRT system and the San Diego Trolley began operation in 1981; and

WHEREAS, an MOU between the City and MTS for construction, maintenance, and operation of the LRT system was first approved in 1979 for the initial LRT segment, and has been added to with numerous amendments as new LRT segments were constructed and began operation; and

WHEREAS, these prior MOUs and amendments exist as separate documents and the maintenance and operations provisions for the various segments of the LRT system have become unwieldy and difficult to follow, so this action provides clarification by consolidating the on-street maintenance and operations issues for the new Mid-Coast Corridor extension and all prior agreements on LRT operation into one MOU document for the entire LRT system; and

WHEREAS, the consolidated MOU does not restate project review procedures and construction issues, which are addressed in separate agreements that the City now has with MTS and with SANDAG; NOW, THEREFORE,

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


Section 1. That the Mayor, or his designee, is authorized to enter into a Memorandum of Understanding with the San Diego Metropolitan Transit System (MTS) for light rail transit street use, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. 21059.

Section 2. That Documents Nos. 766443 (1979 road/rail crossings MOU), OO-15881 (1983 LRT MOU), OO-16947 (1987 LRT First Amendment), OO-17966 (1993 LRT Second Amendment), OO-18079 (1994 LRT Third Amendment), and RR-294919 (2001 LRT Fourth Amendment) are hereby revoked and rescinded.

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

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

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Ryan P. Gerrity
Deputy City Attorney


RPG:cw
02/11/19
Or.Dept: Transportation & Storm Water
CC No.: N/A
Doc. No.: 1923665

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 19 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 3/25/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAR 19 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 25 2019.

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Hy Brady*, 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 05 2019, and on MAR 25 2019.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Hy Brady*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21059</u>