

RESOLUTION NUMBER 297962

ADOPTED ON MAY 20 2003

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REIMBURSEMENT AGREEMENT WITH WESTERN PACIFIC HOUSING FOR PUBLIC FACILITIES IN TORREY HIGHLANDS; AND AMENDING THE FISCAL YEAR 2003 CAPITAL IMPROVEMENT PROGRAM BUDGET.

WHEREAS, the Fiscal Year 2002 Torrey Highlands Public Facilities Financing Plan [PFFP] was adopted by City Council on July 17, 2001, by Resolution No. R-295159, a copy of which PFFP is on file in the office of the City Clerk as Document No. RR-295159, and which PFFP was amended on July 16, 2002, by Resolution No. R-296532; and

WHEREAS, the construction of the Torrey Highlands Neighborhood Park South, project P-1, is a programmed Capital Improvement Program project [CIP] in the PFFP; and

WHEREAS, Camino Ruiz projects T-2.1 and T-2.2, which provide for incremental construction of Camino Ruiz (now called Camino Del Sur) to ultimately a six-lane road, are programmed CIP projects in the PFFP; and

WHEREAS, Camino Ruiz projects T-3.1 and T-3.2, which provide funding for alignment studies and design for the widening of Camino Ruiz (now called Camino Del Sur) from State Route 56 to Dormouse Road in Rancho Penasquitos, are programmed CIP projects in the PFFP; and

WHEREAS, the design and construction of the Torrey Highlands Bicycle/Pedestrian/Equestrian Trail System, project P-6, is a programmed CIP project in the PFFP; and

WHEREAS, the Del Mar Heights Pipeline Relocation, project U-2, which provides relocation and upsizing of a portion of the waterline, is a programmed CIP project in the PFFP; and

WHEREAS, the construction of a new sixteen inch water line at specified locations in Torrey Highlands, project U-3, is a programmed CIP project in the PFFP; and

WHEREAS, the City and Western Pacific Housing [Developer] desire to enter into an FBA Credit and Reimbursement Agreement for Public Facilities in Torrey Highlands which establishes the terms for which Developer will be reimbursed for providing FBA-funded Facilities in Torrey Highlands; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is authorized and empowered to execute, for and on behalf of the City, the FBA Credit and Reimbursement Agreement with Western Pacific Housing for Public Facilities in Torrey Highlands, on file in the office of the City Clerk as Document No. RR- 297962

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the City Auditor and Comptroller is authorized to amend the Fiscal Year 2003 Capital Improvement Program Budget by adding the following:

- (a) CIP No. 52-725.0, Camino Ruiz, SR-56 to Carmel Valley Road;
- (b) CIP No. 70-965.0, Del Mar Heights Pipeline Relocation; and

(c) CIP No. 70-966.0, New 16" Water Mains in Torrey Highlands.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the City Auditor and Comptroller is authorized to amend the Fiscal Year 2003 Capital Improvement Program Budget by renaming CIP No. 52-653.0 to "Camino Ruiz, SR-56 to Dormouse Road," and by revising the Project Budget to include Torrey Highlands FBA Funds in the amount of \$35,000.

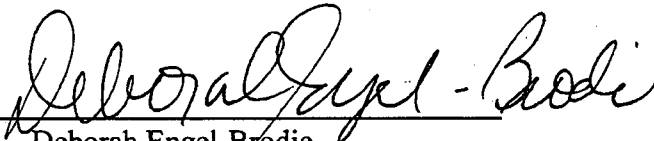
BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it approves the expenditure of an amount not to exceed \$13,450,190, contingent upon certification by the City Auditor and Comptroller that the revenues are available at the time reimbursement is scheduled, from the following funding sources:

- (a) \$350,000 from CIP No. 29-547.0, Fund 79015, for environmental documentation related to Torrey Highlands Neighborhood Park South;
- (b) \$9,714,815 from CIP No. 52-725.0, Fund 79015, for design and construction of Camino Ruiz from SR-56 to Carmel Valley Road;
- (c) \$35,000 from CIP No. 52-653.0, Fund 79015, for alignment studies for Camino Ruiz from SR-56 to Dormouse Road;
- (d) \$600,000 from CIP No. 29-548.0, Fund 79015, for the design and construction of bicycle, pedestrian, and equestrian trails at various locations in Torrey Highlands;
- (e) \$985,375 from CIP No. 70-965.0, Fund 79015, for relocating and upsizing a portion of the Del Mar Heights Pipeline within Torrey Highlands; and

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(f) \$1,765,000 from CIP No. 70-966.0, Fund 79015, for the design and construction of new 16" water mains in a portion of Torrey Highlands.

APPROVED: CASEY GWINN, City Attorney

By 
Deborah Engel-Brodie
Deputy City Attorney

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