

RESOLUTION NUMBER R- 304983

DATE OF FINAL PASSAGE JUN 22 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSEMENT AGREEMENT FOR ROUGH GRADING AND STREET IMPROVEMENTS AS PART OF PROJECT P-4.1 OCEAN VIEW HILLS COMMUNITY PARK (A.K.A. PACIFIC BREEZES) IN THE OTAY MESA COMMUNITY.

WHEREAS, on April 12, 1994, the San Diego City Council adopted Resolution R-283694 granting Vesting Tentative Map No. 86-1032 [VTM] proposing the subdivision of a 543.5 acre site into 1171 lots for residential and commercial development in the Otay Mesa Community Plan area subject to certain conditions [Conditions] necessary to serve this development; and

WHEREAS, Condition No. 57b of the VTM required Pardee Homes [Subdivider] to enter into an agreement with the City to rough grade the park site for the Ocean View Hills Community Park (a.k.a. Pacific Breezes) [Park] to City standards and to construct half-width street improvements fronting the Park; and

WHEREAS, the rough grading and street improvements [Project] are included in the Otay Mesa Public Facilities Financing Plan as a component of Project No. P-4.1; and

WHEREAS, Subdivider has certified it has completed the Project to City specifications and standards and now seeks reimbursement in a total sum not to exceed \$2,211,601.00; and

WHEREAS, the reimbursement agreement for the Project [Agreement] is on file in the office of the City Clerk as Document No. RR 304983, and sets forth the terms and conditions for reimbursement to Subdivider;

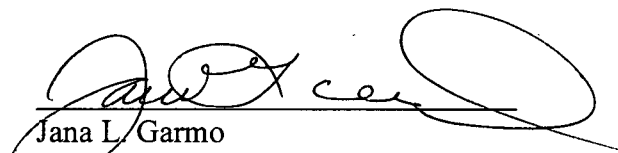
WHEREAS, the Environmental Impact Report for the Park was completed under EIR No. 86-1032; NOW, THEREFORE,

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

1. That the Mayor or his assigned designee is authorized to execute, for and on behalf of said City, the Agreement as part of CIP No. 29-541.0 in the Otay Mesa Community in the amount of \$2,211,601.00, and make any reasonably necessary modifications or amendments thereto which do not increase the Project scope or cost and which the Mayor or his assigned designee deem necessary to carry out the purpose and intent of the Project and Agreement.
2. That the Comptroller is authorized to expend funds not to exceed \$2,211,601.00 from CIP No. 29-541.00, Ocean View Hills Community Park from the Otay Mesa – West FBA Fund No. 79014, for reimbursement under the terms of the Agreement for the Project.
3. That the Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

APPROVED: JAN I. GOLDSMITH, City Attorney


By


Jana L. Garmo
Deputy City Attorney

JLG:cfq
06/02/09
Or.Dept:Fac.Financing
R-2009-1197
mms#7256

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 15 2009.

ELIZABETH S. MALAND
City Clerk

By, 
Deputy City Clerk

Approved: 6-22-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor