

RESOLUTION NUMBER R- 305924

DATE OF FINAL PASSAGE JUL 02 2010

RESOLUTION OF THE CITY COUNCIL TO AUTHORIZE AN FBA REIMBURSEMENT AGREEMENT WITH PARDEE HOMES FOR A COMPLETED PORTION OF DEL MAR HEIGHTS ROAD NORTH OF ASHLEY FALLS NEIGHBORHOOD PARK, PROJECT T-6 (FORMERLY 21-27), WITHIN THE CARMEL VALLEY COMMUNITY PLAN AREA.

WHEREAS, on October 26, 1987, the Council of the City of San Diego adopted Resolution No. R-269577 granting Tentative Map No. 85-0220 to Pardee Homes, which required Pardee Homes to complete half-width road improvements to Del Mar Heights Road north of Ashley Falls Neighborhood Park [Project] in the Carmel Valley Community Plan area; and

WHEREAS, the Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment [FBA] for Fiscal Year 2009 [Financing Plan], adopted by Resolution No. R-303600 on April 24, 2008, identifies the Project as Project No. T-6, Del Mar Heights Road North of Ashley Falls Neighborhood Park, which is scheduled to be reimbursed in Fiscal Year 2010; and

WHEREAS, Pardee Homes has completed the design and construction of the Project, and now seeks reimbursement in the final total amount of Eight Hundred Forty-Two Thousand Three Hundred Forty-Five Dollars and Thirty Three Cents (\$842,345.33), plus interest; and

WHEREAS, an Environmental Impact Report [EIR], EIR NO. 84-0805, and EIR Addendum No. 88-0491, which included the Project, were prepared and considered for the North City West Development Unit 4A Precise Plan, and was certified on February 7, 1989 by Resolution No. R-272838; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor be and hereby is authorized and empowered to execute, for and on behalf of City, a reimbursement agreement with Pardee Homes for the design and construction of Project T-6 (formerly Project 21-27), Del Mar Heights Road North of Ashley Falls Neighborhood Park, in the amount of Eight Hundred Forty-Two Thousand Three Hundred Forty-Five Dollars and Thirty Three Cents (\$842,345.33) plus interest [Agreement], under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. RR- 305924 .

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized to expend an amount not to exceed Eight Hundred Forty-Two Thousand Three Hundred Forty-Five Dollars and Thirty Three Cents (\$842,345.33) plus interest as set forth in the Agreement, from the Carmel Valley Consolidated FBA Fund No. 400088 in CIP No. S-00855, consistent with the timing established in the most recently adopted Carmel Valley Public Facilities Financing Plan.

BE IT FURTHER RESOLVED, that the Purchasing Department is hereby authorized to create a Purchase Order number in an amount not to exceed Eight Hundred Forty-Two Thousand Three Hundred Forty-Five Dollars and Thirty Three Cents (\$842,345.33) plus interest as set forth in the Agreement.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Heidi K. Vonblum
Heidi K. Vonblum
Deputy City Attorney

HKV:js
04/28/10
Or.Dept: Planning
R-2010-791
MMS#11496

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 22 2010.

ELIZABETH S. MALAND
City Clerk

By *Devenon-Cruz*
Deputy City Clerk

Approved: 7-2-10
(date)

J.S.
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor