

ORDINANCE NUMBER O- 20165 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 29 2012

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A REIMBURSEMENT
AGREEMENT WITH PARDEE HOMES FOR PROJECT NO. P-
1, GONZALES CANYON NEIGHBORHOOD PARK, IN THE
PACIFIC HIGHLANDS RANCH COMMUNITY PLAN AREA.

WHEREAS, on September 8, 1998, the City of San Diego and Pardee Homes, formerly known as Pardee Construction Company (Pardee), entered into a Purchase Agreement for Project No. P-1, Gonzales Canyon Neighborhood Park, formerly Neighborhood Park Number 1, which is on file in the Office of the City Clerk as Document No. OO-18579-1; and

WHEREAS, the Council approved the First Amendment to the Neighborhood Park Site (NP1) Purchase Agreement for Gonzales Canyon Neighborhood Park by Ordinance No. O-20000 on October 26, 2010, and the City acquired fee title interest to the Gonzales Canyon Neighborhood Park site on December 28, 2010; and

WHEREAS, the Pacific Highlands Ranch Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2013 (Financing Plan), adopted by Resolution No. R-307364 on APR 10 2012, identifies Project No. P-1, Gonzales Canyon Neighborhood Park, as a project to be funded through the FBA; and

WHEREAS, Pardee has agreed to complete design and construction of Gonzales Canyon Neighborhood Park; NOW, THEREFORE,

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

Section 1. That the Mayor be and hereby is authorized and empowered to execute, for and on behalf of City, the Reimbursement Agreement Between the City of San Diego and Pardee Homes for the design and construction of Project No. P-1, Gonzales Canyon

Neighborhood Park in the Pacific Highlands Ranch Community Planning Area, on file in the Office of the City Clerk as Document No. OO- 20165 (Agreement), under the terms and conditions set forth in the Agreement.

Section 2. That the Chief Financial Officer is hereby authorized to expend an amount not to exceed Three Million Six Hundred Forty-Three Thousand Dollars (\$3,643,000), including interest, as set forth in the Agreement, from the Gonzales Canyon Neighborhood Park Fund No. 400090 in CIP No. S-009948, consistent with the timing established in the most recently adopted Financing Plan, and contingent upon Chief Financial Officer certification of funds available for reimbursement.

Section 3. That the Chief Financial Officer is authorized, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

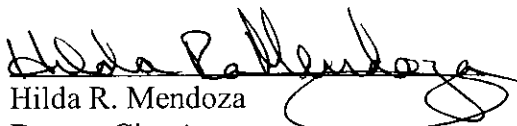
Section 4. That the Chief Financial Officer is authorized to establish an interest bearing account, Gonzales Canyon Neighborhood Park Maintenance Fund, to be used exclusively to fund the maintenance of Gonzalez Canyon Neighborhood Park.

Section 5. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 6. That this ordinance shall take effect and be in force upon final approval of the 2012 Resolution Ordering the Designation of the Area of Benefit in Pacific Highlands Ranch and the Boundaries thereof and Establishing the Amount of the Facilities Benefit Assessment against each Parcel within the Area of Benefit, and contingent on that designation and establishment of amount not resulting in any changes to the Pacific Highlands Ranch Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2013, on file as

Document No. R- **307364**, but in no event earlier than the thirtieth day from and after
this ordinance's final passage.

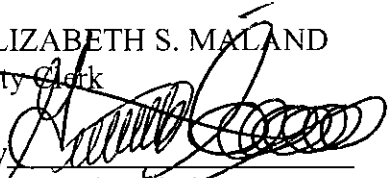
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Hilda R. Mendoza
Deputy City Attorney

HRM:hm
03/20/2012
04/06/2012 COR.COPY
Or.Dept:Fac. Fin.
Doc. No. 350106

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 15 2012

ELIZABETH S. MALAND
City Clerk


By _____
Deputy City Clerk

Approved: 5-29-12
(date)



JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor