

RESOLUTION NUMBER R- 307220

DATE OF FINAL PASSAGE JAN 23 2012

RESOLUTION OF THE CITY COUNCIL TO AUTHORIZE A REIMBURSEMENT AGREEMENT WITH THE SAN YSIDRO SCHOOL DISTRICT FOR A PORTION OF PROJECT NO. T-4.3, DEL SOL BOULEVARD-(CENTRAL), IN THE OTAY MESA COMMUNITY PLAN AREA.

WHEREAS, the San Ysidro School District (SYSD) owns approximately nineteen acres of real property in the Ocean View Hills area of the Otay Mesa Community Planning area that is west of the current terminus of Del Sol Boulevard (Property); and

WHEREAS, SYSD plans to construct a new elementary school as identified in the Ocean View Hills planned community documents, which will be called the Vista Del Mar Elementary School; and

WHEREAS, there is no dedicated right-of-way, easement, or other legal instrument that designates a right-of-way on the Property, and SYSD currently has no improved access to the Property; and

WHEREAS, the Otay Mesa Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2007 (Financing Plan), adopted by Resolution No. R-302040 on November 13, 2006, identifies Project No. T-4.3, Del Sol Boulevard-(Central), as a project to be funded through the FBA; and

WHEREAS, because the City's timeframe for the design and construction of Project No. T-4.3 does not correlate with the SYSD's timeframe for the construction of the Vista Del Mar Elementary School, SYSD desires to complete the 30 percent design of Project No. T-4.3 and construct the portion the Project No. T-4.3 necessary to provide access to SYSD's Vista Del Mar


Elementary School project and to be reimbursed by the FBA for such work; 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, the Reimbursement Agreement Between the City of San Diego and the San Ysidro School District for a Portion of Project No. T-4.3, Del Sol Boulevard-(Central) in the Otay Mesa Community Planning Area, on file in the Office of the City Clerk as Document No. RR- 307220 (Agreement), under the terms and conditions set forth in the Agreement.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized to expend an amount not to exceed Four Million Eight Hundred Forty-Eight Thousand Eight Hundred Ninety-Two Dollars (\$4,848,892), plus the applicable inflationary rate as set forth in the Agreement, from the Otay Mesa Fund No. 400093 in CIP No. S-00858 (Del Sol Boulevard-(Central)), consistent with the timing established in the most recently adopted Financing Plan, and contingent upon Chief Financial Officer certification of funds available for reimbursement.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:hm
11/30/2011
Or.Dept: Facilities Financing
Doc. No.: 284052

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 10 2012.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1-23-12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor