

Item 102 09/10/13

(R-2013-706)  
COR. COPY

RESOLUTION NUMBER R- 308413

DATE OF FINAL PASSAGE SEP 25 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO TO AUTHORIZE A REIMBURSEMENT AGREEMENT WITH SEA BREEZE PROPERTIES LLC FOR A PORTION OF PROJECT NO. 43-21 AND PROJECT NO. U-4, LITTLE MCGONIGLE RANCH ROAD WATER PIPELINE, SERVING THE DEL MAR MESA AND PACIFIC HIGHLANDS RANCH COMMUNITIES.

WHEREAS, Vesting Tentative Map No. 99-0729, granted by Resolution No. R-295387, required Sea Breeze Properties LLC to construct necessary water pipeline improvements relating to a 450 linear foot, 30-inch water transmission pipeline in Little McGonigle Ranch Road (Project); and

WHEREAS, on November 1, 2005, the Council of the City of San Diego adopted Resolution No. R-301007 approving the Del Mar Mesa Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2006 (Del Mar Mesa Financing Plan). The Del Mar Mesa Financing Plan identifies Project No. 43-21, Little McGonigle Ranch Road Water Pipeline, as a project to be funded with FBA funds from Del Mar Mesa; and

WHEREAS, on April 23, 2012, the Council of the City of San Diego adopted Resolution No. R-307364 approving the Pacific Highlands Ranch Facilities Financing Plan (FBA) and Facilities Benefits Assessment for Fiscal Year 2013 (Pacific Highlands Ranch Financing Plan). The Pacific Highlands Ranch Financing Plan identifies Project No. U-4, Little McGonigle Ranch Road Water Pipeline, as a project to be funded with FBA funds from Pacific Highlands Ranch; and

WHEREAS, Project Nos. 43-21 and U-4 are identical projects identified separately in the Del Mar Mesa Financing Plan and the Pacific Highlands Ranch Financing Plan; and

WHEREAS, under the Del Mar Mesa Financing Plan and the Pacific Highlands Ranch Financing Plan, a maximum of \$200,000, including interest, is available for reimbursement of the Project; NOW, THEREFORE,

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

Section 1. Authorize and direct the Council President, in his capacity under Charter section 265(i), to execute for and on behalf of City, the Reimbursement Agreement with Sea Breeze Properties LLC for a Portion of Project No. 43-21 and Project No. U-4, Little McGonigle Ranch Road Water Pipeline, Serving the Del Mar Mesa and Pacific Highlands Ranch Communities, on file in the Office of the City Clerk as Document No. RR- 308413 (Agreement).

Section 2. That the Chief Financial Officer, or designee, is hereby authorized to expend an amount not to exceed \$102,032 from the Del Mar Mesa Facilities Benefit Assessment Fund No. 400089, in CIP No. S-00069 (Little McGonigle Ranch Road Water Pipeline) in accordance with the Agreement, consistent with the timing established in the most recently adopted Del Mar Mesa Financing Plan, and contingent upon Chief Financial Officer certification that funds are available for reimbursement.

Section 3. That the Chief Financial Officer, or designee, is hereby authorized to expend an amount not to exceed \$97,968, from the Pacific Highlands Ranch Facilities Benefit Assessment Fund No. 400090, in CIP No. S-00069 (Little McGonigle Ranch Road Water Pipeline) in accordance with the Agreement, consistent with the timing established in the most

recently adopted Pacific Highlands Ranch Financing Plan, and contingent upon Chief Financial Officer certification that funds available for reimbursement.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Sharon Thomas for  
Heidi K. Vonblum  
Deputy City Attorney

HKV:nja  
08/09/13  
08/27/13 Cor. Copy  
Or.Dept: Facilities Financing  
Doc. No. 566979\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2013.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

Approved pursuant to Charter Section 265(i).

Passed by the Council of The City of San Diego on SEP 10 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 25 2013

**(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT  
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 308413