

ORDINANCE NUMBER O- 20386 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 30 2014

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO TO AUTHORIZE A REIMBURSEMENT AGREEMENT FOR PROJECT NO. 43-21 AND U-4, LITTLE MCGONIGLE RANCH ROAD PIPELINE, PHASES II AND V IN THE DEL MAR MESA AND PACIFIC HIGHLANDS RANCH COMMUNITIES.

WHEREAS, on May 11, 2004, City approved Vesting Tentative Map Nos. 25674, by San Diego Resolution R-299207, subject to certain conditions determined necessary for the development of Pardee Homes (Pardee); and

WHEREAS, on November 1, 2005, by Resolution No. R-301007, the City Council adopted the Del Mar Mesa Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2006 (Del Mar Mesa Financing Plan), on file in the Office of the City Clerk as Document No. RR- 301007. The Del Mar Mesa Financing Plan identifies the Little McGonigle Ranch Road Pipeline as Project 43-21; and

WHEREAS, on April 10, 2012, by Resolution No. 307364, the City Council adopted the Pacific Highlands Ranch Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2013 (Pacific Highlands Ranch Financing Plan). Pacific Highlands Ranch Financing Plan identifies the Little McGonigle Ranch Road Pipeline as Project U-4; and

WHEREAS, Pardee plans to design and construct Phases II and V of the Little McGonigle Ranch Road Pipeline (Project), a 30" water main project extending approximately 2.8 miles within Carmel Valley Road in Pacific Highlands Ranch and Little McGonigle Ranch Road in Del Mar Mesa providing capacity in the water system to adequately supply the demand

at full development of both communities, in accordance with the Del Mar Mesa Financing Plan and the Pacific Highlands Ranch Financing Plan; NOW, THEREFORE,

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

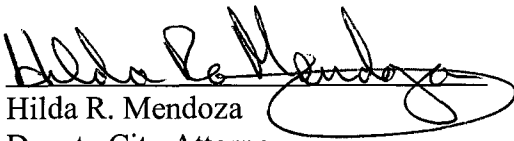
Section 1. That the Mayor is authorized to execute, for an on behalf of City, a Reimbursement Agreement with Pardee Homes for the purchase, design, and construction of Project 43-21 and U-4, Little McGonigle Ranch Road Pipeline, Phases II and V, in the Del Mar Mesa and Pacific Highlands Ranch communities, on file in the Office of the City Clerk as Document No. OO- 20386 (Agreement), under the terms and conditions set forth in the Agreement.

Section 2. That San Diego Municipal Code section 22.3202 and Council Policy 300-07, Consultant Services Selection, are hereby waived with respect with those consultants with whom Pardee entered into a contract for the Project at least two years prior to the effective date of the Agreement and in accordance with the terms and conditions set forth in the Agreement.

Section 3. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$4,300,000 from CIP 70-640.0/S-00069, Little McGonigle Ranch Road Pipeline, Fund No. 400090, Pacific Highlands Ranch FBA, consistent with the timing established in the most recently adopted Del Mar Mesa Financing Plan and Pacific Highlands Ranch Financing Plan, and contingent upon the Chief Financial Officer furnishing one or more certificate(s) certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Section 4. That the Chief Financial Officer is authorized upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

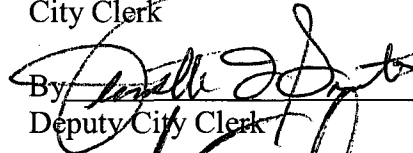

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Hilda R. Mendoza  
Deputy City Attorney

HRM:meb  
6/2/2014  
Or.Dept:Planning  
Doc. No. 797718

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 15 2014.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk  
  
KEVIN L. FAULCONER, Mayor

Approved: 7/30/14  
(date)

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 15 2014, 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"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 JUL 30 2014

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

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

By *Janette J. Sants*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 24 2014

, and on

JUL 30 2014

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

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

By *Janette J. Sants*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O-

20386