

ORDINANCE NUMBER O- 20451 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 30 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO TO AUTHORIZE A REIMBURSEMENT AGREEMENT FOR PROJECT NO(S). T-5.2 CARMEL MOUNTAIN ROAD-NORTHERLY PORTION AND U-3 NEW WATER MAIN, WITHIN RHODES CROSSING UNITS 1 & 6, IN THE TORREY HIGHLANDS COMMUNITY.

WHEREAS, on March 30, 2004, City approved Vesting Tentative Map No. 7938, by San Diego Resolution R-299050, subject to certain conditions determined necessary for the development of KB Home Coastal Inc. (KB Homes); and

WHEREAS, on November 27, 2012, by San Diego Resolution R-307857, the City Council adopted the Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2013 (Financing Plan), on file in the Office of the City Clerk as Document No. RR-307857. The Financing Plan identifies Project No(s). T-5.2 and U-3, Carmel Mountain Road (Widening to Four Lanes from Sundance to SR-56 Right-of-Way) and New 16" Water Mains; and

WHEREAS, KB Homes plans to design and construct the northerly portion of Project No(s). T-5.2 and U-3, Carmel Mountain Road (Widening to Four Lanes from Sundance to SR-56 Right-of-Way) and New 16" Water Mains (Projects), in accordance with the 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 the City, a Reimbursement Agreement with KB Homes for the purchase, design, and construction of the northerly portion of Project No(s). T-5.2 and U-3, in the Torrey Highlands community, on file in the Office of the City Clerk as Document No. OO- 20451 (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, Council Policy 100-10, and Administrative Regulation 25.60, regarding consultant services selection, are hereby waived with respect with the following consultants: (1) Hunsaker & Associates of San Diego Inc. for civil engineering; and (2) Weiland & Associates Inc. for landscape architecture.

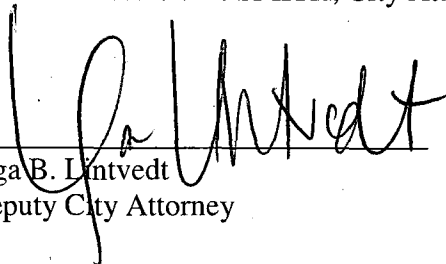
Section 3. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$785,760 for the design and construction of a portion of T-5.2 (RD-15002), Carmel Mountain Road (Four Lanes to Subarea Boundary) and \$273,157 for U-3 (RD-15003), New 16" Water Main, from Torrey Highlands Fund No. 400094, consistent with the timing established in the most recently adopted Torrey Highlands Public Facilities 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.

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

Section 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

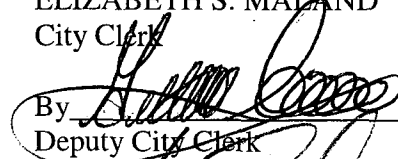
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Inga B. Lintvedt
Deputy City Attorney

IBL: mm
11/20/2014
Or.Dept:Planning
Doc. No.: 845223

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 13 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1/28/2015
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The date of Final Passage is January 30, 2015, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.

Passed by the Council of The City of San Diego on JAN 13 2015, 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"/>
Lorie Zapf	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<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 JAN 30 2015

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 Mary Hernandez, 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

DEC 9 2014, and on JAN 30 2015

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 Mary Hernandez, Deputy

Office of the City Clerk, San Diego, California

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