

ORDINANCE NUMBER O- 20501 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 1 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A REIMBURSEMENT AGREEMENT WITH PARDEE HOMES FOR PROJECT NO. OM T-3.1 (DENNERY ROAD (BLACK CORAL WAY TO TOPSAIL DRIVE), A PORTION OF PROJECT NO. OM T-3.3 (DENNERY ROAD (TRIPLE PIPE CROSSING)), AND PROJECT NO. OM T-4.1 (DEL SOL BOULEVARD (WEST BOUNDARY OF ELEMENTARY SCHOOL TO SURFPOINT WAY)), IN THE OTAY MESA COMMUNITY.

WHEREAS, on November 9, 1993, the City granted Vesting Tentative Map No. 88-0785, by San Diego Resolution R-282975, and on April 12, 1994 granted Vesting Tentative Map No. 86-1032 subject to certain conditions determined to be necessary for Pardee Homes (Developer) to complete its development; and

WHEREAS, On March 11, 2014, by San Diego Resolution R-308811, the City Council adopted the Otay Mesa Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2014 (Financing Plan). The Financing Plan identifies Project Nos. OM T-3.1, Dennery Road-(Black Coral Way to Topsail Drive), OM T-3.3, Dennery Road-(Triple Pipe Crossing), and OM T-4.1, Del Sol Boulevard-(west boundary of elementary school to Surfpoint Way); and

WHEREAS, Developer certifies that it has completed the design and construction of Project No OM T-3.3, and a portion of Project Nos. OM T-3.1 and OM T-4.1, and now seeks reimbursement from City in the final total amount of seven hundred twenty-one thousand dollars (\$721,000) for Project No. OM T-3.1, six hundred forty-nine thousand dollars (\$649,000) for Project No. OM T-3.3, and four hundred forty-one thousand dollars (\$441,000) for Project No. OM T-4.1, including the payment of potential interest; NOW, THEREFORE,

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

Section 1. That the Mayor is authorized and directed to execute, for and on behalf of City, a Reimbursement Agreement with Pardee Homes for Project Nos. OM T-3.1, Dennery Road-(Black Coral Way to Topsail Drive), OM T-3.3, Dennery Road-(Triple Pipe Crossing), and OM T-4.1, Del Sol Boulevard-(west boundary of elementary school to Surfpoint Way), in the Otay Mesa Community Plan area, on file in the Office of the City Clerk as Document No. OO- **20501** (Agreement), under the terms and conditions set forth in the Agreement.

Section 2. That the consultant selection requirements of San Diego Municipal Code section 22.3202, Council Policy 300-07, and Council Policy 100-10 for the selection of Project Design Consultants for design consultant services are waived.

Section 3. That the Chief Financial Officer is authorized to expend an amount not to exceed \$721,000 from CIP S-10018, Dennery Road (Black Coral Way to Topsail Drive), Fund No. 400856, Otay Mesa Facilities Benefit Assessment, for the design and construction of Project No. OM T-3.1 consistent with the timing established in the Financing Plan, 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 to expend an amount not to exceed \$649,000.00 from CIP S-10017, Dennery Road (Triple Pipe Crossing), Fund No. 400856, Otay Mesa Facilities Benefit Assessment, for the design and construction of Project No. OM T-3.3 consistent with the timing established in the Financing Plan, 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.

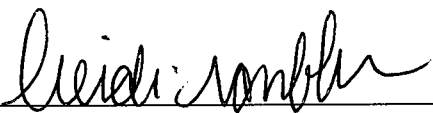
Section 5. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$441,000.00 from CIP S-00858, Del Sol Boulevard (west boundary of elementary school to Surfpoint Way), Fund No. 400856, Otay Mesa Facilities Benefit Assessment, for the design and construction of Project No. OM T-4.1 consistent with the timing established in the Financing Plan, 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 6. That the Chief Financial Officer is authorized, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

Section 7. 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 8. 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 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
04/21/15
Or.Dept: Planning
Doc. No.: 999405

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 16 2015.

ELIZABETH S. MALAND
City Clerk

By *Mary Leonard*
Deputy City Clerk

Approved: 6/30/15
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 16 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 JUL 1 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

JUN 2 2015, and on JUL 1 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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