

ORDINANCE NUMBER O- 20598 (NEW SERIES)

DATE OF FINAL PASSAGE FEB 09 2016

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-SOUTHERN PORTION AND U-3 NEW WATER MAIN, WITHIN RHODES CROSSING UNIT 7, 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 by Rhodes Crossing – Torrey Highlands LP (Rhodes Crossing); 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 (Four Lanes from SR-56 to Via Panacea) and New 16” Water Mains; and

WHEREAS, Rhodes Crossing plans to design and construct a portion of Project No(s). T-5.2 and U-3, Carmel Mountain Road (Two Lanes from SR-56 to Via Panacea) 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:

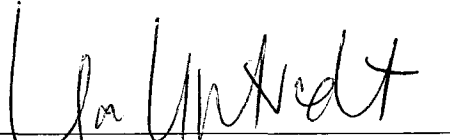
Section 1. That the Mayor is authorized to execute, for and on behalf of City, a Reimbursement Agreement with Rhodes Crossing for the purchase, design, and construction of a portion of Project No(s). T-5.2 and U-3, in the Torrey Highlands community, on file in the Office of the City Clerk as Document No. OO- 20598 (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. shall be the consultant for civil engineering and construction staking; and (2) Weiland & Associates Inc. shall be the consultant for landscape architecture; and (3) Geosoils, Inc. shall be the consultant for soils engineering.

Section 3. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$2,304,578 from WBS # RD-15002, Carmel Mountain Road (Two Lanes from SR-56 to Via Panacea, T-5.2), and an amount not to exceed \$515,119 from WBS # RD-15003, New 16" Water Main (U-3), from Fund No. 400094, Torrey Highlands Facilities Benefit Assessment FBA, 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.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Inga B. Lintvedt
Deputy City Attorney

IBL: mm
12/17/2015
Or.Dept: Facilities Financing
Doc. No.: 1190845

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 26 2016.

ELIZABETH S. MALAND
City Clerk

By Haye Brady
Deputy City Clerk



KEVIN L. FAULCONER, Mayor

Approved: 2/5/16
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JAN 26 2016, 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 FEB 09 2016

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 Stacy Brady, 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

JAN 12 2016, and on FEB 09 2016.

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 Stacy Brady, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>20598</u>