

ORDINANCE NUMBER O- 20630 (NEW SERIES)

DATE OF FINAL PASSAGE APR 13 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AMENDED AND RESTATED PARK DEVELOPMENT AND REIMBURSEMENT AGREEMENT WITH PARDEE HOMES FOR OM P-2, DENNERY RANCH NEIGHBORHOOD PARK IN THE OTAY MESA COMMUNITY PLAN.

ITEM # 54
4/5/16

WHEREAS, on February 7, 2000, in accordance with the Dennery Ranch Vesting Tentative Map (VTM) No. 88-0785, Pardee Homes and the City entered into a Park Development Agreement for Dennery Ranch Neighborhood Park No. 2, by Resolution No. R-292733; and

WHEREAS, on August 6, 2001, by Resolution No. R-295344, the Park Development Agreement was amended to increase the size of the park from five acres to nine acres to address any need for additional park acreage that may result from future development of a former School Site in Dennery Ranch that was released back to the developer from the Chula Vista Elementary School District; and

WHEREAS, Pardee Homes now proposes to develop 73 detached condominium homes on the former Park Site and to change the proposed location of the park site; and

WHEREAS, on November 20, 2014, the Planning Commission approved VTM No. 1276924, Site Development Permit (SDP) No. 1276922, and Planned Development Permit (PDP) No. 1276923 for Project No. 364849, Parkside at Dennery Ranch subject to certain conditions that are determined to be necessary for that development; and

WHEREAS, these conditions specifically require Pardee Homes to provide the City with a General Development Plan (GDP) and budget for a nine net usable acre park within eighteen months following approval of a park development and reimbursement agreement, and to design,

construct, and convey the nine net usable acre park site within thirty months following the approval of the GDP; and

WHEREAS, Pardee Homes has prepared the required cost estimate, which totals \$15,100,000 for the site acquisition, design, and construction costs including contingencies; and

WHEREAS, the amended and restated agreement between Pardee Homes and the City will replace the previous park development agreement, satisfy the development condition, and allow for the park's development while capping the reimbursable costs to an amount not to exceed \$15,100,000; and

WHEREAS, on June 29, 2015, by Resolution No. R-309815, the City Council approved an amendment to the Otay Mesa Public Facilities Financing Plan, which included this park at the adjusted cost of \$15,000,000; 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 an Amended and Restated Park Development and Reimbursement Agreement with Pardee Homes for the land acquisition, design, and construction of OM P-2, Dennery Ranch Neighborhood Park in Otay Mesa, on file in the Office of the City Clerk as Document No. OO- 20630 .

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$15,100,000 from CIP S-00636, Dennery Road (Black Coral Way to Topsail Drive), Fund No. 400856, Otay Mesa Facilities Benefit Assessment (FBA), consistent with the timing established in the Fiscal Year 2014 Otay Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, 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 with the City Treasurer.

Section 3. That the Chief Financial Officer is authorized, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

Section 4. 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 5. 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 Shannon M. Thomas
Shannon M. Thomas
Deputy City Attorney

SMT:als
01/22/2016
Or.Dept: Planning
Doc. No.: 1209293

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 05 2016.

ELIZABETH S. MALAND
City Clerk

By Stacy Orvedy
Deputy City Clerk

Approved: 4/11/16
(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 APR 05 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 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 APR 13 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 Sty 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

MAR 15 2016, and on APR 13 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 Sty Brady, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>20630</u>