

ORDINANCE NUMBER O- 20713 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 10 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A REIMBURSEMENT AND
PARK DEVELOPMENT AGREEMENT FOR CENTRUM
NEIGHBORHOOD PARK ENHANCEMENTS IN THE
KEARNY MESA COMMUNITY.

WHEREAS, on or about June 4, 2008, in accordance with Vesting Tentative Map No. 329293 for the Sunroad Centrum Residential Project, Developer and the City entered into a Park Development Agreement for Centrum Neighborhood Park (Park Development Agreement), approved by San Diego City Council Resolution No. R-303725. The Park Development Agreement estimated Developer would expend \$1,600,000 for development of the Centrum Neighborhood Park General Development Plan (GDP) and design and construction of the 2.0-acre Centrum Neighborhood Park. On August 9, 2010, City approved an assignment of the Park Development Agreement to SPUS05 Wood Kearny Mesa, LLC; and

WHEREAS, on May 3, 2012, the San Diego City Planning Commission adopted Resolution No. 4793-PC2 approving Planned Development Permit No. 905832 and granting Vesting Tentative Map No. 905834 for the Sunroad Centrum Residential Phases 3-5, which authorized development of 677 residential units, and included Planned Development Permit Condition #35 requiring ad hoc park fees of \$4,981,631 for the population-based park land required for the project's residents; and

WHEREAS, on November 19, 2015, the San Diego Planning Commission adopted Resolution No. PC-4748 approving Planned Development Permit No. 1470611, an Amendment to Planned Development Permit No. 905832 for Sunroad Centrum Residential Phases 3-5,

allowing in Condition 11 that up to \$1,000,000 of the ad hoc park fees for Phase 5 would be used for enhancements to Centrum Park instead of Hickman Field; and

WHEREAS, Developer now proposes to amend the Centrum Neighborhood Park GDP to include park enhancements including but not limited to shade structures, picnic areas, seating areas, dog parks, and additional play amenities, and to design and construct the enhancements (Project) through community input as outlined in Council Policy 600-33; and

WHEREAS, if Developer constructs the Project in addition to paying its \$1,000,000 ad hoc park fee for the Project, the City would no longer be able to spend the \$1,000,000 fees for the purpose for which they were collected. The Parties therefore desire to enter into this Agreement to allow Developer to complete the Project and be reimbursed for all eligible costs up to a maximum of \$1,000,000; and

WHEREAS, under San Diego City Charter section 99, a two-thirds vote of the Council is required for passage of this ordinance; 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 and Park Development Agreement with Sunroad Centrum Partners, LP, for enhancements to Centrum Neighborhood Park and an associated amendment to the Centrum Neighborhood Park General Development Plan, in the Kearny Mesa community, on file in the Office of the City Clerk as Document No. OO- 20713 (Agreement), under the terms and conditions set forth in this Agreement.

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$1,000,000 from CIP No. RD-16005, Centrum Park Neighborhood Park Improvements, Fund No. 200636, Developer's Contribution Fund-CIP, for enhancements to Centrum

Neighborhood Park and an associated amendment to the Centrum Neighborhood Park General Development 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.

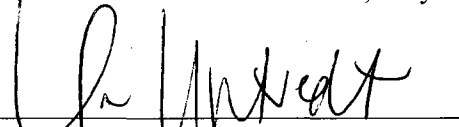
Section 3. That the Chief Financial Officer is authorized upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

Section 4. That 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) Schmidt Design Group for landscape architecture.

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
July 1, 2016
Or.Dept: Planning
Doc. No.: 1316134

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of AUG 02 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/8/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on AUG 02 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 AUG 10 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 Mary Fernandez, 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

JUL 19 2016, and on AUG 10 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 Mary Fernandez, Deputy

Office of the City Clerk, San Diego, California

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