

#203  
6/26/17

(R-2017-659)

RESOLUTION NUMBER R- 311204

DATE OF FINAL PASSAGE JUN 30 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE INFRASTRUCTURE FINANCING  
PLAN FOR THE OTAY MESA ENHANCED INFRASTRUCTURE  
FINANCING DISTRICT.

WHEREAS, the California Legislature enacted California Government Code (Code) sections 53398.50 through 53398.88 (EIFD Law) authorizing cities and counties to establish enhanced infrastructure financing districts and use specified property tax increment revenue generated within such districts to finance certain infrastructure and community benefit projects; and

WHEREAS, in enacting the EIFD Law, the California Legislature found and determined that with the dissolution of redevelopment agencies, public benefits will accrue, if local agencies finance public infrastructure and community benefit projects authorized under the EIFD Law; and

WHEREAS, the Council of the City of San Diego (Council) adopted Resolution R-310937, effective February 13, 2017, as amended by Council Resolution R-310971, effective March 15, 2017, determining that it will be beneficial to the City of San Diego (City) to establish, and stating the Council's intent to establish, the Otay Mesa Enhanced Infrastructure Financing District (District) with boundaries coterminous with the Otay Mesa Community Planning Area (Territory) identified in the Otay Mesa Community Plan adopted by the Council in Resolution R-308810, effective March 25, 2014, and amended by the Council in Resolution R-309773, effective June 11, 2015; and

WHEREAS, the Council adopted Resolution R-310938, effective February 13, 2017, establishing the Otay Mesa Enhanced Infrastructure Financing District Public Financing Authority (Authority) to act as the governing board of the District; and

WHEREAS, the Council also directed the Authority to prepare an infrastructure financing plan (IFP) for the District in accordance with the EIFD Law; and

WHEREAS, the Authority designated and directed the City Debt Management Director to prepare an IFP for the District in accordance with the EIFD Law; and

WHEREAS, the City Debt Management Director prepared an IFP for the District; and

WHEREAS, the IFP is consistent with the City's General Plan and the Otay Mesa Community Plan; and

WHEREAS, the IFP includes a map of the boundaries of the District in Exhibit II-1 and Exhibit A and a legal description of the boundaries of the District in Exhibit A; and

WHEREAS, the boundaries of the District represent all or a portion of the Territory designated by the Council in Resolution R-310937 stating the Council's intent to establish the District; and

WHEREAS, the IFP contains a description of the public facilities and other forms of development or financial assistance proposed in the District, including those to be provided by the private sector, those to be provided by governmental entities without assistance from the District, those public improvements and facilities to be financed with assistance from the District, and those to be provided jointly, with the proposed location, timing, and costs of the development and financial assistance; and

WHEREAS, the IFP provides that from the date of establishment of the District through June 30, 2022, 50 percent of City property tax increment revenue generated from properties

within the District (including ad valorem property tax revenue annually allocated to the City pursuant to California Revenue and Taxation Code section 97.70 and corresponding to the increase in assessed valuation of taxable property located within the District) is allocated to the District, consistent with City Charter section 77.1; and

WHEREAS, the IFP provides that on and after July 1, 2022, until expiration or termination of the District, 100 percent of City property tax increment revenue generated from properties within the District (including ad valorem property tax revenue annually allocated to the City pursuant to California Revenue and Taxation Code section 97.70 and corresponding to the increase in assessed valuation of taxable property located within the District) is allocated to the District; and

WHEREAS, the IFP specifies the maximum portion of the incremental property tax revenue of the City to be allocated to the District for each year during which the District will receive incremental property tax revenue of the City; and

WHEREAS, the IFP projects the amount of incremental property tax revenues expected to be received by the District in each year during which the District will receive incremental property tax revenues, including an estimate of the amount of such tax revenues attributable to each affected taxing entity allocating tax revenue to the District for each year; and

WHEREAS, the IFP contains a limit on the total number of dollars of taxes that may be allocated to the District; and

WHEREAS, the IFP contains a plan for financing the public facilities to be assisted by the District, including a detailed description of any intention to incur debt; and

WHEREAS, the IFP sets the date on which the District will cease to exist and all tax allocation to the District will end as 45 years after the effective date of the Authority resolution establishing the District; and

WHEREAS, the IFP analyzes the costs to the City of providing facilities and services to the area of the District while the area is being developed and after the area is developed; and

WHEREAS, the IFP analyzes the taxes, fees, charges, and other revenues expected to be received by the City as a result of expected development in the area of the District; and

WHEREAS, the IFP addresses the projected fiscal impact of the District and the associated development upon the affected taxing entities that are not allocating incremental tax revenue to the District; and

WHEREAS, no removal or destruction of dwelling units within the District is anticipated in implementation of the IFP, but to the extent that in the future any dwelling units within the District are proposed to be removed or destroyed in the course of public works construction within the area of the District or private development within the area of the District that is subject to a written agreement with the District or financed in whole or in part by the District, the IFP contains a plan providing for replacement of those units and relocation of affected persons consistent with the requirements of Code section 53398.56; and

WHEREAS, the IFP sets forth the goals the District proposes to achieve for each project financed; and

WHEREAS, consistent with the California Environmental Quality Act (CEQA), the environmental impacts related to development projects identified in the IFP have been evaluated in the Otay Mesa Community Plan Environmental Impact Report (Project No. 30330 / 304032 SCH No. 2004651076) (PEIR) previously certified by the Council; and


WHEREAS, the PEIR is the most recent and comprehensive environmental document pertaining to the development projects identified in the IFP and is a Program Environmental Impact Report prepared in accordance with Title 14 California Code of Regulations section 15168; and

WHEREAS, City staff has prepared a Consistency Evaluation for adoption of the IFP, dated April 11, 2017 (Consistency Evaluation), in accordance with CEQA, Title 14 California Code of Regulations sections 15162 and 15168, and related State of California and local CEQA implementation guidelines. A copy of the Consistency Evaluation is included in the docket materials accompanying this Resolution; and

WHEREAS, the Consistency Evaluation concludes that the environmental impacts of the IFP are adequately addressed in the PEIR, none of the conditions listed in Title 14 California Code of Regulations section 15162(a) exist, and no further environmental documentation is required under CEQA for adoption of the IFP; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego that the Infrastructure Financing Plan for the Otay Mesa Enhanced Infrastructure Financing District, in substantially the form included in the docket materials accompanying this Resolution, is approved.

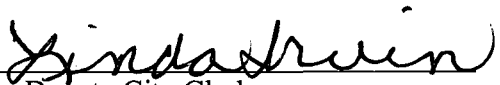
APPROVED: MARA W. ELLIOTT, City Attorney

By:   
Delmar G. Williams  
Deputy City Attorney

DGW: slo  
06/05/2017  
Or. Dept.: Debt Mgmt.  
Doc. No.: 1451873\_4

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of June 26, 2017.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6/29/17  
(Date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 26 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 30 2017.

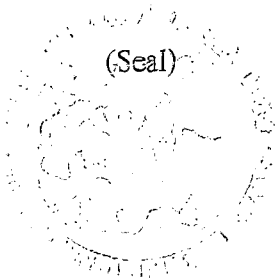
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Jinda Bruin*, Deputy



Office of the City Clerk, San Diego, California

Resolution Number R- 311204