

RESOLUTION NUMBER R- 315087
DATE OF FINAL PASSAGE AUG 08 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A REIMBURSEMENT
AGREEMENT WITH TRI POINTE HOMES IE-SD, INC. FOR A
PORTION OF PROJECT NO. OM T-11.1 CALIENTE AVENUE
(OTAY MESA ROAD TO PROPOSED SR-905 OVERPASS) IN
THE OTAY MESA COMMUNITY.

WHEREAS, pursuant to San Diego Resolution R-312501, approved on June 4, 2019,
the City Council of the City of San Diego (City Council) granted Vesting Tentative Map
No. 2152396 (VTM) to Tri Pointe Homes IE-SD, Inc., a California Corporation (Developer),
subject to certain conditions determined to be necessary for development (Development); and

WHEREAS, effective July 16, 2015, by Resolution No. R-309815, the City Council
adopted the Otay Mesa Public Facilities Financing Plan and Facilities Benefit Assessment for
Fiscal Year 2014 (Financing Plan), on file in the Office of the City Clerk as Document No.
RR-309815, which identifies Project OM T-11.1 Caliente Avenue (Otay Mesa Road to Proposed
SR-905), a portion of this is the component of the Development the Developer is responsible for
(Project); and

WHEREAS, Developer shall design and will begin construction on the Project in
accordance with the Financing Plan, and seeks reimbursement for anticipated costs
(Reimbursement Agreement); and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the
information provided by City staff, with the understanding that the information is complete, true,
and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council approves the Reimbursement Agreement, and authorizes the Mayor or his designated representative to execute, for and on behalf of the City, the Reimbursement Agreement in the amount of \$1,804,069 for the design and construction of the Development.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, as delegated, is authorized to add CIP RD-23009, OM T-11.1 Caliente Avenue, to the Capital Improvements Program.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, as delegated, is authorized to increase the Capital Improvements Program Budget in CIP RD-23009, OM T-11.1 Caliente Avenue, and to appropriate and expend an amount not to exceed \$1,804,069 from Fund No. 400890 Otay Mesa Local Mobility Development Impact Fee, in accordance with the Reimbursement Agreement, contingent on certification by the Chief Financial Officer that funds necessary for expenditure are available.


BE IT FURTHER RESOLVED, that the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that this activity has been reviewed for consistency with and is covered in the Final Environmental Impact Report (FEIR) for the Otay Mesa Community Plan Update (OMCPU; Project No. 30330 and 304032/SCH No. 2004651076) which was certified by the City Council on March 25, 2014 (R-308809), the Addendum to the OMCPU FEIR for the Cal Terraces – Planning Area (PA) 61 (Project No. 605191 SCH No. 2004651076) which was adopted by the City Council on June 14, 2019 (R-312499), and the Addendum to the OMCPU FEIR for the California Terraces Planning Area (PA) 61-Lot 1 (Project No.

690358/SCH No. 2004651076) which was adopted by City Council on November 15, 2022 (R-314469) and is a subsequent discretionary action and therefore not a separate project pursuant to California Environmental Quality Act (CEQA) Guidelines section 15378(c). As such, this activity would not be subject to CEQA pursuant to CEQA Guidelines section 15060(c)(3). Pursuant to sections 21166, 15162 and 15164 of CEQA, there is no change in circumstance, additional information, or project changes to warrant additional environmental review for the current action.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Shannon C. Eckmeyer
Deputy City Attorney

SCE:sc:jdf
05/02/2023
07/24/2023 COR. COPY
07/28/2023 COR. COPY 2
Or.Dept:Planning
CC No: N/A
Doc. No.: 3280031_3

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 01 2023.

DIANA J.S. FUENTES
City Clerk

By Kristell Medina
(Deputy City Clerk)

Approved: 8/01/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on AUG 01 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 08 2023

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA I.S. FUENTES
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

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