

RESOLUTION NUMBER R- 308424

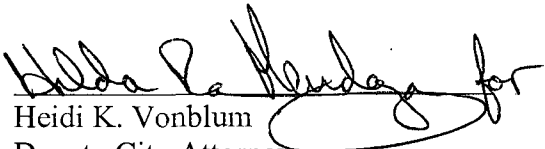
DATE OF FINAL PASSAGE SEP 25 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE MIRA MESA PUBLIC FACILITIES FINANCING PLAN AND FACILITIES BENEFIT ASSESSMENT, FISCAL YEAR 2014, AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ESTABLISH AND MODIFY INDIVIDUAL CAPITAL IMPROVEMENT PROGRAM PROJECT BUDGETS TO REFLECT THE PLAN.

BE IT RESOLVED, by the Council of the City of San Diego, that it approves the document titled, "Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2014" (Financing Plan), a copy of which is on file in the Office of the City Clerk as Document No. RR- 308424.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to establish and modify individual Capital Improvement Program project budgets to reflect the Financing Plan provided funding is available for such action.

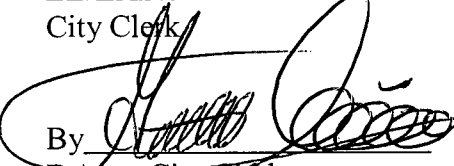
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
08/08/13
09/06/13 Cor. Copy
Or.Dept: DSD-Facilities Financing
Doc. No. 612736_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2013.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____
(date)

Mayor

Vetoed: _____
(date)

Mayor

Approved pursuant to Charter Section 265(i).

Passed by the Council of The City of San Diego on SEP 10 2013, 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"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Lorie Zapf	<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 SEP 25 2013

(Please note: When a resolution is approved by the Council President as interim 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, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 308424

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Item 331 B 09/10/13

(R-2014-69)
COR. COPY

RESOLUTION NUMBER R- 308425

DATE OF FINAL PASSAGE SEP 25 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DECLARING ITS INTENTION TO DESIGNATE
AN AREA OF BENEFIT IN MIRA MESA TO FINANCE THE
COST OF PUBLIC FACILITIES PROJECTS AND SETTING
THE TIME AND PLACE FOR HOLDING A PUBLIC HEARING
THEREON.

WHEREAS, the Council of the City of San Diego desires to initiate proceedings for the designation of a facilities benefit assessment area of benefit in Mira Mesa pursuant to San Diego Municipal Code section 61.2200 et seq., which area of benefit will specially benefit from the acquisition, improvement and construction of certain public improvements more particularly identified and described in the document titled, "Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2014" (Financing Plan) on file in the Office of the City Clerk as Document No. RR- 308424 ; and

WHEREAS, the specific public facilities projects, the cost of which is proposed to be charged to the properties located within the area of benefit, are identified in the Financing Plan; and

WHEREAS, a capital improvement program with respect to the public facilities projects is included in the Financing Plan; and

WHEREAS, the proposed boundaries of the facilities benefit assessment area of benefit are shown in the Financing Plan; and

WHEREAS, the method pursuant to which the cost of the public facilities projects are to be apportioned among the parcels within the facilities benefit assessment area of benefit and the

estimated amount of the facilities benefit assessments which will be charged to each such parcel is contained in the Financing Plan; and

WHEREAS, the Council has determined that it is necessary to provide for 3 percent annual automatic increases for Fiscal Year 2015 and each year thereafter in the amount of facilities benefit assessments for landowners who have not paid their facilities benefit assessments without the necessity for further proceedings pursuant to San Diego Municipal Code section 61.2212 in order to reflect increases in the cost of money during the period between the imposition of the facilities benefit assessment, the payment of facilities benefit assessments and completion of the public facilities projects. The annual automatic increase is based on the March to March Construction Cost Index for San Diego/Los Angeles and the August to August Consumer Price Index for San Diego; and

WHEREAS, the amount of contribution or advance which the City or other public entity will make toward the total cost of the public facilities projects is set forth in the Financing Plan; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the foregoing recitals are true and correct and incorporated fully herein by this reference.

2. Pursuant to San Diego Municipal Code section 61.2200 et seq., the Council declares its intention to designate an area of benefit within Mira Mesa to finance the cost of the public facilities projects identified in the Financing Plan, which is incorporated into this Resolution by reference.

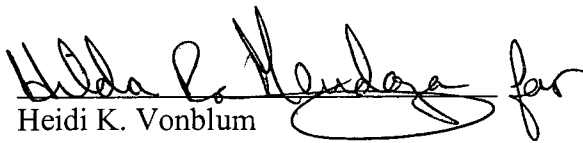
3. The Council shall hold a public hearing to consider the designation of the area of benefit as proposed in this Resolution at 10:00 a.m., or as soon thereafter as the matter may be

heard, on OCT 15 2013, at the Council Chambers, 12th Floor, City
Administration Building, 202 C Street, San Diego, California.

4. The City Clerk is authorized and directed to give notice of the public hearing described in paragraph 3 of this Resolution by publishing this Resolution in the San Diego Daily Transcript at least two weeks before the date set forth herein and by mailing copies of this Resolution to each owner of property located within the proposed area of benefit at the addresses shown on the last equalized property tax assessment roll, or as otherwise known to the City Clerk pursuant to San Diego Municipal Code section 61.2205.

APPROVED: JAN I. GOLDSMITH, City Attorney

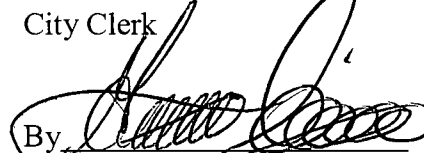
By


Heidi K. Vonblum
Deputy City Attorney

HKV:nja
08/08/13
09/06/13 Cor. Copy
Or.Dept: DSD –Facilities Financing
Doc. No. 612744

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2013

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____
(date)

Mayor

Vetoed: _____
(date)

Mayor

Approved pursuant to Charter Section 265(i).

Passed by the Council of The City of San Diego on SEP 10 2013, 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"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Lorie Zapf	<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 SEP 25 2013


(Please note: When a resolution is approved by the Council President as interim 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, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 308425

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RESOLUTION NUMBER R- 308516

DATE OF FINAL PASSAGE OCT 29 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO ORDERING THE DESIGNATION OF AN AREA OF
BENEFIT IN MIRA MESA AND THE BOUNDARIES THEREOF
AND ESTABLISHING THE AMOUNT OF THE FACILITIES
BENEFIT ASSESSMENT AGAINST EACH PARCEL WITHIN
THE AREA OF BENEFIT.

WHEREAS, pursuant to San Diego Municipal Code section 61.2200 et seq.,
on SEP 10 2013, the Council of the City of San Diego adopted Resolution
No. R- 308425 (Resolution of Intention) declaring its intention to designate an area of
benefit within Mira Mesa to finance the cost of the public facilities projects identified in the
“Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year
2014,” (Financing Plan) on file in the Office of the City Clerk as Document No. RR-308424
and

WHEREAS, on SEP 10 2013, the Council adopted Resolution No. R-308424
approving the Financing Plan; and

WHEREAS, by Resolution No. R-308425, the Council fixed at 10:00 a.m., or as
soon thereafter as the matter may be heard, on OCT 15, 2013, at the City Council
Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California, the
time and place for a public hearing to consider the designation of the area of benefit, including
the public facilities projects to be financed, the extent of the facilities benefit assessment area of
benefit, and the proposed facilities benefit assessments to be levied upon parcels within the
designated area of benefit; and

WHEREAS, the City Clerk has given notices of the passage of the Resolution of Intention and of the time and place and purpose of the hearing, as required by San Diego Municipal Code section 61.2205; and

WHEREAS, at the time and place stated in the notices, a hearing was duly held by the Council, and during the course of the hearing, the Financing Plan was duly presented and considered, and all written protests and objections received, if any, were duly presented, read, heard and considered, and all persons appearing at the hearing and desiring to be heard were given that opportunity, and a full, fair and completed hearing was had; and

WHEREAS, the specific public facilities projects, the cost of which is proposed to be charged to the properties located within the area of benefit, are identified in the Financing Plan; and

WHEREAS, a capital improvement program with respect to the public facilities projects is included in the Financing Plan; and

WHEREAS, the proposed boundaries of the facilities benefit assessment area of benefit are shown in the Financing Plan; and

WHEREAS, the method pursuant to which the cost of the public facilities projects are to be apportioned among the parcels within the facilities benefit assessment area of benefit and the estimated amount of the facilities benefit assessments which will be charged to each such parcel is contained in the Financing Plan; and

WHEREAS, the Council has determined that it is necessary to provide for 3 percent annual automatic increases for Fiscal Year 2015 and each year thereafter in the amount of facilities benefit assessments for landowners who have not paid their facilities benefit assessments without the necessity for further proceedings pursuant to San Diego Municipal Code

section 61.2212 in order to reflect increases in the cost of money during the period between the imposition of the facilities benefit assessment, the payment of facilities benefit assessments and completion of the public facilities projects. The annual automatic increase is based on the March to March Construction Cost Index for San Diego/Los Angeles and the August to August Consumer Price Index for San Diego; and

WHEREAS, the amount of contribution or advance which the City or other public entity will make toward the total cost of the public facilities projects is set forth in the Financing Plan; and

WHEREAS, the goal of the Financing Plan is to ensure sufficient funds are available to provide needed community public facilities; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the foregoing recitals are true and correct and incorporated fully herein by this reference.
2. That the Financing Plan is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code section 66000 et seq., for imposition of the facilities benefit assessment fees. Specifically, it is determined and found that this documentation:
 - a. Identifies the purpose of the DIF, which is to ensure that each new development project pays its proportionate share of funding needed for the community public facilities projects necessary to serve new development;
 - b. Identifies the use to which the DIF is to be put, which includes but is not limited to, the funding of public facilities projects to serve the community at full community

development as identified in the Mira Mesa Community Plan and the City of San Diego General Plan. A list of the public facilities projects is shown in the Financing Plan;

c. Demonstrates how there is a reasonable relationship between the DIFs use and the type of development project on which the DIF is imposed, which includes the following: The DIF will be used to provide for a proportionate fair share contribution for community infrastructure projects needed to serve both residential and non-residential development based on the increased intensity of the development permitted in accordance with the DIF schedule in effect at the time a building permit is issued. Credit will be given for any existing development;

d. Demonstrates how there is a reasonable relationship between the need for the public facility and the type of development project on which the DIF is imposed, which includes the following:

(i) Transportation Projects: Both residential development and non-residential development utilize the communities' transportation system, which require various street and bridge projects, traffic signal interconnect systems, and medians.

(ii) Park and Recreation Projects: Residential development utilizes the community's parks, and improvements are necessary based on the projected population at full community development and General Plan standards.

(iii) Library Projects: Residential development utilizes the community libraries, and improvements are necessary based on the projected population at full community development and General Plan standards.

(iv) Fire/Rescue Projects: Residential and non-residential development will be served by community fire/rescue facilities, and additional facilities are necessary based

on the projected population at full community development, General Plan standards, and established emergency response times.

3. The designation of the area of benefit as identified in the Financing Plan is ordered.

4. The establishment of the facilities benefit assessment against each parcel within the area of benefit as identified in the Financing Plan is ordered and is effective sixty days from the date of final passage of this resolution.


5. The Mayor is authorized and directed to prepare a map of the boundaries of the area of benefit based on this Resolution and to file the map with the City Clerk in accordance with the provisions of San Diego Municipal Code section 61.2209(a).

6. The City Clerk is authorized and directed to record the map of the boundaries of the area of benefit in the Office of the County Recorder of the County of San Diego in accordance with the provisions of San Diego Municipal Code section 61.2209(a).

7. The City Clerk is authorized and directed to execute and record a Notice of Assessment in the Office of the County Recorder of the County of San Diego in accordance with the provisions of San Diego Municipal Code section 61.2209(b).

8. The Chief Financial Officer is authorized and directed to transfer, appropriate and expend the subject facilities benefit assessment funds as necessary to ensure timely payment of all Mira Mesa public facilities projects identified in the Financing Plan.


APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
08/08/13
10/10/13 Cor. Copy
Or.Dept: DSD-Facilities Financing
Doc. No. 612756_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 15 2013

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved pursuant to Charter section 265(i):

(date)

TODD GLORIA, Council President

Passed by the Council of The City of San Diego on OCT 15 2013, 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"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Lorie Zapf	<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 OCT 29 2013.

(Please note: When a resolution is approved by the Council President as interim 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, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 308516

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RESOLUTION NUMBER R- 308517

DATE OF FINAL PASSAGE OCT 29 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE DEVELOPMENT IMPACT FEE SCHEDULE FOR PROPERTIES WITHIN MIRA MESA.

WHEREAS, the purpose of Development Impact Fees (DIFs) is to ensure that each new development project pays its proportionate share of the funding needed for public facilities necessary to serve new development; and

WHEREAS, the Council has reviewed and considered the methodology set forth in the "Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2014," (Financing Plan) on file in the Office of the City Clerk as Document No. RR308424,

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the assessment fee schedule contained in the Financing Plan is the appropriate and applicable DIF schedule for all development within the Mira Mesa area that has either never been assessed under the Financing Plan or has not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

2. Effective sixty days from the date of final passage of this resolution, that all DIFs due under the Financing Plan, shall be those fees in effect at the time building permits are issued.

3. That the DIFs due shall not increase in accordance with San Diego Municipal Code section 142.0640(b), but shall automatically increase annually in accordance with the Financing Plan, until a new DIF is adopted.

4. That the Financing Plan is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act,

as set forth in California Government Code section 66000 et seq., for imposition of development impact fees. Specifically, it is determined and found that this documentation:

a. Identifies the purpose of the DIF, which is to ensure that each new development project pays its proportionate share of funding needed for the community public facilities projects necessary to serve new development;

b. Identifies the use to which the DIF is to be put, which includes but is not limited to, the funding of public facilities projects to serve the community at full community development as identified in the Mira Mesa Community Plan and the City of San Diego General Plan. A list of the public facilities projects is shown in the Financing Plan;

c. Demonstrates how there is a reasonable relationship between the DIFs use and the type of development project on which the DIF is imposed, which includes the following: The DIF will be used to provide for a proportionate fair share contribution for community infrastructure projects needed to serve both residential and non-residential development based on the increased intensity of the development permitted in accordance with the DIF schedule in effect at the time a building permit is issued. Credit will be given for any existing development;

d. Demonstrates how there is a reasonable relationship between the need for the public facility and the type of development project on which the DIF is imposed, which includes the following:

(i) Transportation Projects: Both residential development and non-residential development utilize the communities' transportation system, which require various street and bridge projects, traffic signal interconnect systems, and medians.

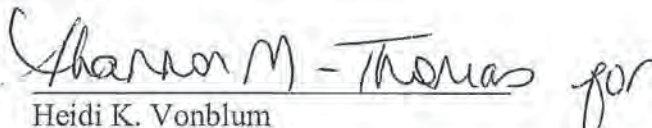
(ii) Park and Recreation Projects: Residential development utilizes the community's parks, and improvements are necessary based on the projected population at full community development and General Plan standards.

(iii) Library Projects: Residential development utilizes the community libraries, and improvements are necessary based on the projected population at full community development and General Plan standards.

(iv) Fire/Rescue Projects: Residential and non-residential development will be served by community fire/rescue facilities, and additional facilities are necessary based on the projected population at full community development, General Plan standards, and established emergency response times.

5. That the Chief Financial Officer is directed to establish an interest bearing fund for the Mira Mesa Development Impact Fee.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  for
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
08/08/13
10/10/13 Cor. Copy
Or.Dept: DSD -Facilities Financing
Doc. No. 612778_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 15 2013

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved pursuant to Charter section 265(i):

(date)

TODD GLORIA, Council President

Passed by the Council of The City of San Diego on OCT 15 2013, 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"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Lorie Zapf	<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 OCT 29 2013.

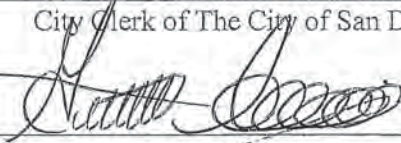
(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 308517