

ORIGINAL

SECOND AMENDMENT TO REIMBURSEMENT AGREEMENT WITH QUARRY FALLS, LLC FOR PUBLIC FACILITIES IN THE MISSION VALLEY COMMUNITY

THIS SECOND AMENDMENT TO THE REIMBURSEMENT AGREEMENT FOR THE QUARRY FALLS (CIVITA) DEVELOPMENT PROJECT (Second Amendment) is for the reimbursement of costs of land acquisition, design, construction, and funding for certain improvements identified in this Agreement, pursuant to the terms and conditions set forth herein. This Second Amendment is made and entered into between the City of San Diego, a municipal corporation (City), and Quarry Falls, LLC, a California limited liability company (Subdivider). City and Subdivider when referenced herein collectively shall be referred to as Party or Parties. This Second Amendment is entered into with reference to the following recitals:

RECITALS

A. City and Subdivider entered into the Reimbursement Agreement for the Quarry Falls (Civita) Development Project (Reimbursement Agreement) dated November 27, 2012.

B. On September 26, 2013, subsequent to the execution of the Reimbursement Agreement, the City adopted Ordinance No. 20299 requiring the payment of prevailing wages on City public works projects, as codified in San Diego Municipal Code Section 22.3019.

C. On August 15, 2018, the Parties entered into the First Amendment to the Reimbursement Agreement (First Amendment) to account for prevailing wages and differences in park acreage.

D. Since 2018, certain park costs have increased beyond the costs estimated in the First Amendment.

E. On December 30, 2020, Subdivider released a Public Request for Bids for Creekside Park and Franklin Ridge Pocket Park.

F. Subdivider subsequently received qualified bids for both projects. Those bid amounts were significantly higher than the construction estimates provided for in Exhibits H-1 through H-4 in the First Amendment to the Reimbursement Agreement.

G. On August 13, 2021, the City adopted Resolution No. 313688 creating a new Citywide Park Development Impact Fee [Citywide Park DIF] to provide a simplified fee program to fund the City's parks, and adopted a new Park Master Plan.

H. On August 9, 2022, the City adopted Resolution No. 314269 to better align the Regional Transportation Congestion Improvement Program (RTCIP) Funding Program with Build Better San Diego and to make the RTCIP fee a component of the Citywide Mobility Development Impact Fee program.

I. On August 9, 2022, the City adopted Resolution No. 314273 creating a new Citywide Mobility Development Impact Fee (Citywide Mobility DIF).

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Office of the City Clerk
San Diego, California

J. On August 9, 2022, the City adopted Resolution No. 314271 creating a new Citywide Fire-Rescue Development Impact Fee (Citywide Fire-Rescue DIF),

K. On August 9, 2022, the City adopted Resolution No. 314272 creating a new Citywide Library Development Impact Fee (Citywide Library DIF),

L. Together, the Citywide Park, Mobility, Fire-Rescue, and Library DIF programs (jointly, the Citywide DIF Program) replace community-specific DIF programs, including the DIF program for the Mission Valley Community Planning Area where Civita is located.

M. On October 4, 2022, the City approved a Substantial Conformance Review (SCR) No. 2314857 to align the Civita Transportation Phasing Plan (see Recital D and Exhibit B to the Reimbursement Agreement) with the Serra Mesa and Mission Valley Community Plans by including a road connection between the two communities as presented in 'Alternative 4 – Road Connection To Phyllis Place' to the 2008 Quarry Falls Program Environmental Impact Report (Quarry Falls PEIR) and analyzed in the 2017 Final EIR for the Serra Mesa Community Plan Update. This SCR found the modifications to be in substantial conformance to the previously approved Site Development Permit No. 183193, and Quarry Falls Project No. 49068 (MMRP). SCR No. 2314857 verifies conformance with the existing conditions for the Transportation Phasing Plan for Civita, a copy of which is attached hereto as **Exhibit B-1**.

N. The Parties hereto desire to amend the Reimbursement Agreement and First Amendment to update certain cost estimates for Creekside Park and Franklin Ridge Pocket Park to account for construction costs that have exceeded the Estimated Costs of the Reimbursement Agreement as well as amend the construction cost estimate for Phyllis Place Park to also reflect the increase in construction costs that have occurred, to address the adoption of the Citywide DIF Program, and to account for the changes in the Transportation Phasing Plan. In addition, the updates will include adjustments to the RTCIP costs for improvements that are already completed and for future projects that are close enough to the start of construction to provide estimates. Moreover, there have been minor increases in total park acreages based on the Final Maps.

NOW THEREFORE, in consideration of the recitals and mutual obligations of the Parties, and for other good and valuable consideration, the City and Subdivider agree as follows:

1. Any term or word that is defined in the Reimbursement Agreement or First Amendment shall be deemed to have the same meaning when it is used in this Second Amendment, except when the context expressly states otherwise.

2. City and Subdivider agree that Subdivider will not participate in the Citywide DIF Program and instead will continue to be assessed impact fees according to the community DIF fee methodology for the Mission Valley community, including annual escalation of fees, based on the City's Planning and Department Fee and Deposit Schedule in effect at the time of payment, whether by surrendering DIF credits or payment of the fee. DIF credits earned by Subdivider can be applied to all asset classes within the community DIF (transportation, park, fire, and library).

3. Recital I is amended to permit Subdivider to seek reimbursement from the RTCIP Fund as follows:

The Development is also subject to the Regional Transportation Congestion Improvement Program [RTCIP]. The RTCIP was established with the passage of Proposition A in 2004. The RTCIP requires City to collect an amount in exactions which is at least equal to the minimum amount set by SANDAG on an annual basis for each newly constructed non-exempted residential housing unit within its jurisdiction, subject to annual increases [RTCIP Impact Fee]. Previously, effective July 1, 2022, the City collected the RTCIP Impact Fee in the amount of \$3,069 per single-family unit, and \$2,456 per multi-family unit in the Mission Valley Community. Effective October 21, 2022, however, in accordance with Resolution No. 314273 Citywide Mobility DIF, the City will collect the RTCIP Impact Fee equal to the SANDAG-determined exaction as determined annually, as part of the Citywide Mobility DIF, which fees are deposited into the City's RTCIP Fund No. 400174 [RTCIP Fund]. The "RTCIP provides for the collection of an RTCIP Impact Fee to ensure that future development contributes its proportional share of the funding needed to pay for the Regional Arterial Systems [RAS] and related transportation facility improvements, as identified and defined in SANDAG's most recently adopted Regional Transportation Plan [RTP]." The adopted TransNet Extension Ordinance and Expenditure Plan (Ordinance 04-01) incorporates the TransNet Extension Regional Transportation Congestion Improvement Program [RTCIP Program] by reference. The RTCIP Program provides that new development shall contribute towards the RAS through the RTCIP, and that "if a developer funds or constructs improvements on the Regional Arterial System and/or that arise out of SANDAG's Congestion Management Program, the developer shall receive credit for the costs associated with the arterial improvements offsetting the revenue requirements of the Funding Program."

4. Recital J is amended to permit Subdivider to seek reimbursement from the RTCIP Fund for RAS improvements required by the Phasing Plan in Exhibit B-1 as follows:

The Phasing Plan requires Subdivider to construct or fund certain RAS improvements that are described in the RTP and through this Agreement Subdivider seeks reimbursement for the design and construction of Improvement #11 as described in Exhibit E and as shown in Exhibit F [RTCIP Improvement], and Improvement #19 as described and attached as in Exhibit E-1 and Exhibit F-1.

5. The definition of "Financing Plan" in Article I, Definitions, is amended to mean the City's Mission Valley Public Financing Plan, Fiscal Year 2020.

6. The definition of "Phasing Plan" in Article I, Definitions, is amended by adding Exhibit B-1 to this Second Amendment.

Phasing Plan: Shall mean the Amended Civita Transportation Phasing Plan attached as Exhibit B-1.

7. Section 2.3 is amended by replacing Exhibits H-2 through H-4 referenced therein, with Exhibits H-2 through H-4 attached to this Second Amendment.

8. Section 2.4 is amended by replacing Exhibit I referenced therein with Exhibits I and I-1 attached to this Second Amendment.

9. Section 4.1.2 is amended as follows:

Type of Reimbursement. Subject to the provisions in this Agreement, Subdivider shall be entitled to (i) a DIF credit for funding of the SR 163 Project, (ii) a DIF credit or cash reimbursement from the DIF Fund for the Reimbursable Costs of the Park Improvements, and (iii) RTCIP Impact Fee credit reimbursement from the RTCIP Fund for reimbursable costs for the RAS and related transportation facility improvements, as identified and defined in SANDAG's most recently adopted RTP. Subdivider may choose to receive DIF credits or cash reimbursement for the Park Improvements; however, Subdivider shall not receive cash reimbursement unless and until there are sufficient funds appropriated to reimburse Subdivider from the DIF Fund, in whole or in part, in accordance with the Financing Plan. If sufficient funds are unavailable in the DIF Fund, City shall reimburse Subdivider if and as funds accrue and become appropriated in the DIF Fund, or at Subdivider's election, City shall grant DIF credits. Subdivider acknowledges and agrees that in the event there is insufficient appropriation in the DIF Fund and no additional funds are available for collection by City to fund Park Improvements, Subdivider shall not be reimbursed in cash by City for any portion of Subdivider's outstanding costs or expenditures, and Subdivider expressly agrees to fully absorb all such outstanding costs without any cash reimbursement from City, or Subdivider may elect to receive DIF credits. Where a Subdivider requests a DIF credit, the DIF credit shall be granted consistent with the procedures described in this Agreement.

10. Section 4.1.3 is amended as follows:

Credits. Subdivider may only use a DIF credit with respect to the SR163 Project or Park Improvements for and within the Development and the DIF credit cannot be converted to cash after it has been granted. Provided, however, that Subdivider may surrender DIF credits to satisfy any remaining obligation to fund Improvement #15a (SR163 Project), which is identified as Improvement 1b in Exhibit B-1 ("Phasing Plan") and was fully constructed as of December 31, 2019. Cost escalation of the payment required by Improvement 1b (see Recital F to the Reimbursement Agreement) shall be fixed as of the completion date of the SR163 Project.

11. Section 4.1.4 is amended as follows:

Funds for Cash Reimbursement. Subdivider shall only be entitled to cash reimbursement for Park Improvements as set forth in this Agreement and only from DIF funds collected by City in accordance with the Financing Plan, as it may be

amended, in the amount set forth in this Agreement and in the Financing Plan, if and as such funds become available for the Project, after the appropriate deductions and expenditures are made, pursuant to the method of reimbursement described in Section 4.1.8 and 4.1.9 and in the priority of reimbursement described in Section 4.1.11.

12. Section 4.1.5 is amended as follows:

Amount of Reimbursement. Subdivider shall be entitled to a DIF credit for the SR163 Project in a total amount that is consistent with Recitals E, F, and G. Subdivider shall be entitled to a DIF credit or cash reimbursement from the DIF Fund for the construction of the Park Improvements in an amount not to exceed the Park Improvements Cost Estimate, as amended by any Change Orders, as those terms are defined in the Park Agreement. Subdivider shall be entitled to only approved Reimbursable Costs for the Projects in accordance with Section 8.2 in an amount not to exceed Estimated Costs in accordance with Section 8.3.

13. Section 4.1.9 is amended as follows:

Method of Reimbursement for Park Improvements and RTCIP Improvement. Subdivider shall submit to Facilities Financing a written request for reimbursement for all Reimbursable Costs incurred or advanced for the Park Improvements or RTCIP Improvement for which Subdivider was not previously reimbursed or granted DIF or RTCIP Impact Fee credit [Reimbursement Request]. The Reimbursement Request shall include all relevant documents in accordance with this Section. City shall determine if the Reimbursement Request is incomplete and shall notify Subdivider of such deficiencies within sixty (60) Calendar Days of Subdivider's Reimbursement Request submittal. Subdivider shall provide additional documentation within fourteen (14) Calendar Days of City's notification and request. However, even if City fails to notify Subdivider within sixty (60) Calendar Days regarding Subdivider's Reimbursement Request, City may continue to request additional documentation to support the Reimbursement Request and shall not be obligated to reimburse Subdivider until City confirms receipt of all relevant documentation sufficient to support the Reimbursement Request. After all appropriate cost documentation has been received and City approves the Reimbursement Request [Reimbursement Request Approval], City shall reimburse Subdivider for those Reimbursable Costs within seventy-five (75) Calendar Days of the date of Reimbursement Request Approval, provided there are funds in the DIF Fund if the reimbursement is a cash reimbursement for a Park Improvement.

14. Section 8.3 replacing Exhibit Q referenced therein, with Exhibit Q attached to this Second Amendment.

15. Section 28.3.4 is amended to correct the service address of William Mayer:

William Mayer
Quarry Falls, LLC

5465 Morehouse Drive, Suite 260
San Diego, CA 92121-4714
Facsimile No: (858) 546-3009

16. Section 29.14 is amended to add the following Exhibits:

Exhibit B-1 - Amended Civita Transportation Phasing Plan

Exhibit I-1 - Civita Demonstration of Alternatively Contributing Community
Project

17. All other provisions of the Reimbursement Agreement and First Amendment thereto shall remain in full force and effect, unless otherwise amended as set forth herein.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, this Second Amendment is signed by both Parties and is executed on _____, 2024 (Effective Date).

THE CITY OF SAN DIEGO, a municipal corporation

By: Elise Lowe

Name: Elise Lowe

Title: DSD Director

Approved as to form:

City Attorney, Heather Ferbert

By: Shannon Eckmeyer

Shannon Eckmeyer
Deputy City Attorney

QUARRY FALLS, LLC,
a California limited liability company

By: Sudberry Properties/Entitlement, L.P.,
a California limited partnership
Its: Manager

By: Sudberry Development, Inc.,
a California corporation,
Its: General Partners

By: Mark Radelow

Mark Radelow
Vice President

0-21977

Exhibit B-1

Amended Civita Transportation Phasing Plan



Quarry Falls Program EIR

Transportation Phasing Plan with Phyllis Place Road Connection

#	Location	Responsible Party ¹	Improvement	Status
1a	Friars Road/ SR-163 interchange	Project ²	<p>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the construction of the following local improvements: <u>the widening of the northbound approach of the SR-163 southbound off-ramp at Friars Road by 1 right turn lane resulting in 1 left turn lane, 1 shared left thru lane, and 2 right turn lanes; the widening of the southbound approach of Ulric Street at Friars Road by 1 right turn lane resulting in 1 left turn, 1 thru-left, and 1 right turn lane; the reconfiguring of the northbound southbound approach of Friars Road and (SR-163 southbound-northbound ramps to provide 2 right-turn lanes;); the widening of westbound Friars Road from Frazee Road to SR-163 northbound ramps by 1 thru lane and 1 right turn lane resulting in 3 thru lanes and 2 right-turn lanes; the widening of eastbound Friars Road at Frazee Road by 1 thru lane (with widening to accept the thru lane) and 2 right turn lanes resulting in dual left turn lanes, 4 thru lanes and 2 right turn lanes satisfactory to the City Engineer; reconfigure southbound approach at Friars Road at SR-163 northbound ramps (SR-163 northbound to Friars Road westbound ramp); The City may require the project to pay \$5,000,000 (2007 dollars) to the City of San Diego in lieu of constructing such local improvements to assist in the funding of a more regional set of improvements at this same location, satisfactory to the City Engineer.</u></p>	Complete
2	Mission Center Road/Quarry Falls Blvd	Project ²	<p>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the construction of the following improvements at the intersection of Mission Center Road and Quarry Falls Boulevard: <u>the widening of the northbound approach by 1 right turn trap lane resulting in 2 left turn lanes, 2 thru lanes, and 1 right turn lane; the widening of the westbound approach by 2 left turn lanes resulting in 2 left turn lanes and 1 shared thru-right lane; and, the widening of the eastbound approach by 1 right turn lane resulting in 1 left turn lane, 1 thru lane and 1 right-turn lane, satisfactory to the City Engineer.</u></p>	Complete
3	Mission Center Road from Quarry Falls Boulevard to Friars Road	Project ²	<p>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the construction of the following improvement on Mission Center Road from Quarry Falls Boulevard to Friars Road: <u>the widening of by one northbound Mission Center Road to add one additional lane resulting in for a total of three thru lanes, satisfactory to the City Engineer.</u></p>	Complete

#	Location	Responsible Party ¹	Improvement	Status
4	Friars Road from Qualcomm Way to Mission Center Road	Project ²	<u>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the construction of a westbound auxiliary lane by Widening Friars Road from Qualcomm Way to Mission Center Road, resulting in westbound segment by one auxiliary lane for a total of three thru lanes and one auxiliary lane, satisfactory to the City Engineer.</u>	Complete
5a	Phyllis Place/ I-805 SB ramp	Project	<u>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the construction of a traffic signal at the intersection of Phyllis Place and I-805 southbound ramp with appropriate traffic signal interconnect; the widening of the Phyllis Place eastbound approach to provide 2 thru and 1 right turn lane; the widening of the southbound on-ramp; and the widening of the southbound off-ramp to provide 1 shared thru left and 2 right turn lanes, satisfactory to the City Engineer.</u> Signalize, Widen southbound off-ramp; widen Phyllis Place eastbound southbound approach from I-805 to Ainsley/Abbotshill Road; widen southbound on ramp.	Complete; no widening required by City Engineer for on or off ramps. Mitigation measures MM-TRAF-11, MM-TRAF-12, and MM-TRAF-18 at end of this Exhibit A will apply in with road connection condition.
6	Phyllis Place/ I-805 NB ramp	Project	Signalize. <u>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the construction of a traffic signal at the intersection of Phyllis Place and I-805 northbound ramp with appropriate traffic signal interconnect; Restripe northbound approach; restripe eastbound approach; reconfigure westbound approach; and widen the northbound on-ramp, satisfactory to the City Engineer.</u>	Partially complete; no widening required by City Engineer for on or off ramps. Mitigation measures MM-TRAF-5 at end of Exhibit A will apply in the with road connection condition.
7	Murray Ridge Road/ Mission Center Road	Project ²	Signalize. <u>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the construction of the following improvements at the intersection of Mission Center Road and Murray Ridge Road: the installation of a traffic signal, the Restriping of the southbound approach to provide 1 left turn lane, 1 thru lane, and 1 right turn lane; the widening of the westbound approach by 1 left turn lane resulting in 1 shared thru-right lane and 1 left turn lane; and, the restriping of the eastbound approach to provide 1 left turn lane and 1 thru-right lane, satisfactory to the City Engineer.</u>	Complete



#	Location	Responsible Party ¹	Improvement	Status
8a	Murray Ridge Road from SB NB Interstate 805 ramps to Pinecrest Ave	Project ²	<u>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the following improvements on Murray Ridge Road from the southbound I-805 ramps to Pinecrest Avenue: the Restriping of Murray Ridge Road to a 4-lane collector or the contributeion of \$100,000 (2007 dollars) in funding for traffic calming to be determined by the Serra Mesa community from I-805 northbound ramps to Pinecrest Avenue, satisfactory to the City Engineer.</u>	Complete
8b	<u>Murray Ridge Road Bridge over I-805</u>	Project ²	<u>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the restriping of the Murray Ridge Road/Phyllis Place, between the northbound and southbound ramps of I-805 ramps, to 5 lanes, satisfactory to the City Engineer.</u>	To be completed in Phase 2, per Traffic Impact Analysis, Appendix B to Quarry Falls Program EIR. See Measure 5b, identical improvement planned for Phase 2. At the time of installation, restriping not performed at request of City Engineer. See Caltrans Permit No. 11-09-SN-0472 (July 10, 2011) and Offsite Improvement Plans, Project No. 200503 (March 7, 2011) in Sharefile site.
9	Murray Ridge Road/ Pinecrest Ave	Project	<u>Signalize- Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the construction of a traffic signal at the intersection of Murray Ridge Road and Pinecrest Avenue, satisfactory to the City Engineer.</u>	Complete
10	Friars Road/ Avenida De Las Tiendas	Project ²	<u>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the lengthening of westbound dual left-turn lanes at the intersection of Friars Road and Avenida de las Tiendas to approximately 450 feet, satisfactory to the City Engineer.</u>	Complete

#	Location	Responsible Party ¹	Improvement	Status
11	Texas Street from Camino del Rio South to El Cajon Boulevard	Project	<u>Prior to the issuance of any building permits for Phase 1, the applicant shall assure by permit and bond the implementation of the following traffic calming measures on Texas Street from El Cajon Boulevard to Camino Del Rio South: the provision of pedestrian lighting and a new sidewalks from Camino del Rio South to Madison Avenue (see per item T4 in the Greater North Park Planning Committee's Priority List on (page 13) of the Public Facilities Financing Plan, 2002); and, the contribution of \$100,000 (2007 dollars) in funding for traffic calming to be determined by the community from Madison Avenue to El Cajon Boulevard.</u>	Complete
12	Transportation Demand Management measures	Project	<u>Prior to the issuance of any building permits for Phase 1, the applicant shall develop a comprehensive Transportation Demand Management Plan that includes information kiosks in central locations, bike lockers, priority parking spaces for carpools, and co-ordination with MTS for potential public or private bus service in Quarry Falls, satisfactory to the City Engineer.</u>	Complete. See KOA Corporation TDM (February 28, 2011) in Sharefile site.
<i>Prior to the issuance of a building permit for development in excess of 2,375 EDU³ the following improvements are to be assured to the satisfaction of the City Engineer.</i>				
14	Friars Road/ Fashion Valley Road	Project ²	<u>Prior to the issuance of any building permits for Phase 2 that exceeds 23,750 ADT in total development, the applicant shall assure by permit and bond the Restriping of the westbound approach at the intersection of Friars Road and Fashion Valley Road by 1 left turn lane resulting in 2 left-turn lanes, 1 thru lane and 1 shared thru-right turn lane, satisfactory to the City Engineer.</u>	To be completed
16	Pedestrian Bridge across Friars Road	Project ⁴	<u>Prior to the issuance of any building permits for Phase 2 in the area represented by parcels 21, 24, or 25 of the Quarry Falls Vesting Tentative Map 183196 and that exceeds 23,750 ADT in total development, the applicant shall assure by permit and bond the Construction of a pedestrian bridge over Friars Road to connect Quarry Falls to the Rio Vista West shopping center and provide access to the Rio Vista West trolley station, satisfactory to the City Engineer.</u>	To be completed
17	Friars Road EB ramp/ Qualcomm Way	Project ²	<u>Prior to the issuance of any building permits for Phase 2 that exceeds 23,750 ADT in total development, the applicant shall assure by permit and bond the construction of the following improvement on Friars Road eastbound ramp and Qualcomm Way: the Widening of the eastbound approach by 1 left turn lane resulting in 1 left turn lane, a 1 shared left-thru lane and 1 right turn lane; the restriping of the southbound approach within the existing bridge abutments resulting in 2 thru lanes and 2 left turn lanes; and the widening of the northbound approach by 2 thru lanes resulting in 4 thru lanes and 1 right turn lane, satisfactory to the City Engineer.</u>	Complete; ultimate configuration modified based on revised Traffic Analysis provided to the City Engineer to address adjacent owner who would not reasonably relinquish land for right of way. Due to the



SUBSTANTIAL CONFORMANCE REVIEW

PROJECT NO. 641937 APPROVAL NO. 2314857
Query File: Original Project No. 09060 (SDP Approval No. 163182) PUP Approval No. 163182
DEVELOPMENT SERVICES DEPARTMENT
DATE: October 4, 2022 BY: *[Signature]*
Development Project No. 4901

#	Location	Responsible Party ¹	Improvement	Status
				width of the two additional lanes on Qualcomm Way from Rio San Diego Drive to Friars Road Eastbound On-ramp, the proposed improvements encroached outside of the existing right-of-way and into the adjacent property owner's landscaped slope. After extensive negotiations with the property owner and Sudberry Properties, the parties could not come to a resolution to acquire the additional right of-way needed to complete the widening project. As a result Sudberry Properties prepared an updated Traffic Study for the project demonstrating that only one additional dedicated right turn lane is required to meet the traffic demands and provide adequate level of service. This Traffic Study was approved by the City of San Diego on November 9, 2017, under PTS# 404729, and this improvement has been completed. See PTS No. 404729, and the approved plan set in Sharefile site.

#	Location	Responsible Party ¹	Improvement	Status
18	Friars Road WB ramp/ Qualcomm Way	Project ²	<p>Prior to the issuance of any building permits for Phase 2 that exceeds 23,750 ADT in total development, the applicant shall assure by permit and bond the construction of the following improvements on Friars Road westbound ramp and Qualcomm Way: the widening of the southbound approach by 1 thru lane and 1 right turn lane resulting in 1 right turn lane and 2 thru lanes; and the restriping of the northbound approaches resulting in 2 thru lanes and 2 left turn lanes, satisfactory to the City Engineer.</p>	<p>Complete; ultimate configuration modified based on revised Traffic Analysis provided to the City Engineer to address adjacent owner who would not reasonably relinquish land for right of way. Due to the width of the two additional lanes on Qualcomm Way from Rio San Diego Drive to Friars Road Eastbound On-ramp, the proposed improvements encroached outside of the existing right-of-way and into the adjacent property owner's landscaped slope. After extensive negotiations with the property owner and Sudberry Properties, the parties could not come to a resolution to acquire the additional right of-way needed to complete the widening project. As a result Sudberry Properties prepared an updated Traffic Study for the project demonstrating that only one additional dedicated right turn lane is required to meet the traffic demands and provide adequate level</p>

#	Location	Responsible Party ¹	Improvement	Status
				of service. This Traffic Study was approved by the City of San Diego on November 9, 2017 under PTS# 404729, and this improvement has been completed. See PTS No. 404729, and the approved plan set in Sharefile site.
5b	Phyllis Place/ I-805 SB ramp	Project ²	Prior to the issuance of any building permits for Phase 2 that exceeds 23,750 ADT in total development, the applicant shall assure by permit and bond the Widen southbound off ramp; widen Phyllis Place eastbound approach; widen southbound and northbound on-ramps; Restriping of the Murray Ridge Road bridge to five lanes. Restripe Murray Ridge Road westbound, satisfactory to the City Engineer.	To be completed
19	Friars Road/I-15 SB off-ramp	Project ²	Prior to the issuance of any building permits for Phase 2 that exceeds 23,750 ADT in total development, the applicant shall assure by permit and bond the following: 1) Widening on the northside of the southbound approach at Friars Road just west of the and I-15 southbound off-ramp by 4 for the addition of an EF Friars Road to SB I-15 on-ramp left turn lane; 2) removal of the WB Friars Road to SB I-15 on-ramp free-right turn movement; 3) the addition of a 12-ft. lane on the SB I-15 on- ramp; 4) the removal of the NB I-15 off-ramp to WB Friars Road free-right turn lane; and 5) widening the northside of Friars Road just east of the NB I-15 on-ramp to accommodate an additional 12-ft. WB Friars Road dedicated right turn lane to NB I-15; resulting in 2 left turn lanes, 1 shared thru-left turn lane, and 2 right turn lanes, satisfactory to the City Engineer.	To be completed; improvements changed at Caltrans' request. ⁶
Prior to the issuance of a building permit for development in excess of 5,118 EDU ³ the following improvements are to be assured to the satisfaction of the City Engineer. ⁵				
20	Texas Street/El Cajon Blvd.	Project ²	Prior to the issuance of any building permits for Phase 3 that exceeds 51,180 ADT in total development, the applicant shall assure by permit and bond the Widening of the eastbound approach at the intersection of Texas Street and El Cajon Boulevard by 1 right turn lane resulting in 1 left turn, 3 thru lanes and 1 right turn lane, satisfactory to the City Engineer.	To be completed
1b	Friars Road/SR-163 Interchange	Project ²	Prior to the issuance of any building permits for Phase 3 that exceeds 51,180 ADT in total development, the applicant shall assure by permit and bond the Construction of the following local improvements at Friars Road and	To be completed

#	Location	Responsible Party ¹	Improvement	Status
			SR-163 interchange: the widening and lengthening of the Friars Road bridge from 6 lanes to 8 thru lanes from Frazee Road to Ulric Street and providing 2 left turn lanes across the bridge; the reconfiguration of the SR-163 northbound off ramp by removing the free right turn and widening the existing loop off ramp to provide 3 left turn and 1 right turn lanes; the widening of the southbound approach of at Friars Road/ and Frazee Road intersection by 1 right turn lane resulting in 2 left turn lanes, 1 shared thru right and 2 right turn lanes. The City may require the project to pay \$14,000,000 (2007 dollars) to the City of San Diego in lieu of constructing such local improvements to assist in the funding of a more regional set of improvements at this same location, satisfactory to the City Engineer.	
Prior to the issuance of a building permit for development in excess of 5,904 EDU ³ the following fairshare contributions will be made to the satisfaction of the City Engineer:				
22	Friars Road/Santo Road	Project ²	Prior to the issuance of any building permits for Phase 4 that exceeds 59,040 ADT in total development, the applicant shall. Contribute a fairshare 4615% of toward the cost of the following improvement: Rrestripeing the southbound approach at the intersection of Friars Road and Santo Road to provide dual left turn lanes and dual right turn lanes, satisfactory to the City Engineer.	To be completed
23	Mission Gorge Road/Zion Avenue	Project ²	Prior to the issuance of any building permits for Phase 4 that exceeds 59,040 ADT in total development, the applicant shall Gcontribute a fairshare of 20% of toward the cost of the installation of an additional following improvement: Widen westbound approachleft turn lane (requiring widening of the westleg of the intersection) resulting in dual left turn lanes and 1 shared thru-right turn lane at the intersection of Mission Gorge Road and Zion Avenue, satisfactory to the City Engineer.	To be completed
24	Mission Center Road/Camino De La Reina	Project ²	Prior to the issuance of any building permits for Phase 4 that exceeds 59,040 ADT in total development the applicant shall Gcontribute a fairshare of 7% of toward the cost of the following improvement: Wwidening the eastbound approach at the intersection of Mission Center Road and Camino De La Reina by 1 right turn lane resulting in 2 left turn lanes, 2 thru lanes and 1 right turn lane, satisfactory to the City Engineer.	To be completed
25	Qualcomm Way/Camino De La Reina	Project ²	Prior to the issuance of any building permits for Phase 4 that exceeds 59,040 ADT in total development, the applicant shall Gcontribute a fairshare of 25% of toward the cost of the following improvement: Wwidening the westbound approach at the intersection of Qualcomm Way and Camino De La Reina by 1 right turn lane resulting in 2 left turn lanes, 2 thru lanes and 2 right turn lanes, satisfactory to the City Engineer.	To be completed



#	Location	Responsible Party ¹	Improvement	Status
26	Texas Street/Camino Del Rio South	Project ²	Prior to the issuance of any building permits for Phase 4 that exceeds 59,040 ADT in total development the applicant shall contribute a fairshare of 1% of toward the cost of the following improvements at the intersection of Texas Street and Camino Del Rio South: the widening of the northbound approach by a shared thru-right lane resulting in 1 left turn lane, 2 thru lanes and 1 shared thru-right lane; the restriping of the eastbound approach resulting in 2 left turn lanes and 1 shared thru-right turn lane; the widening of the southbound approach by 1 left turn lane, resulting in 2 left turn lanes, 2 thru lanes and 1 right turn lane; and the widening of the westbound approach by 1 right turn lane resulting in 1 left turn lane, 1 thru lane and 2 right turn lanes, satisfactory to the City Engineer.	To be completed
27	Texas Street/Madison Street	Project ²	Prior to the issuance of any building permits for Phase 4 that exceeds 59,040 ADT in total development the applicant shall contribute a fairshare of 27% of toward the cost of the following improvement: Restriping the eastbound approach (which will require the widening of the northleg of the intersection) at the intersection of Texas Street and Madison Street resulting in 2 left turn lanes and 1 shared thru-right turn lane, satisfactory to the City Engineer.	To be completed
28	Rio San Diego Drive/Fenton Parkway	Project ²	Prior to the issuance of any building permits for Phase 4 that exceeds 59,040 ADT in total development the applicant shall contribute a fairshare of 6% of toward the cost of the following improvement: Widening the northbound approach at the intersection of Rio San Diego Drive and Fenton Parkway by 1 left turn lane resulting in 2 left turn lanes, 1 thru lane and 1 shared thru-right turn lane, satisfactory to the City Engineer.	To be completed
29	Camino del Rio North/I-8 WB Ramp	Project ²	Prior to the issuance of any building permits for Phase 4 that exceeds 59,040 ADT in total development the applicant shall contribute a fairshare of 2% of toward the cost of the following improvement: Widening the eastbound approach resulting in two thru-lanes and 2 right-turn lanes, satisfactory to the City Engineer.	To be completed
Near-Term Scenario (Roadway Capacity)				
<i>Prior to the commencement of any grading activities or, if a grading permit is required, prior to the issuance of a grading permit to construct the road connection.</i>				
MM-TRAF-3	Phyllis Place, from Franklin Ridge Road to I-805 SB ramps	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, Phyllis Place shall be widened from Franklin Ridge Road to I-805 SB ramps to accommodate five total lanes (three EB and two WB), including a median. The new classification for this segment of Phyllis Place will be a five-lane Major Arterial. Widening must accommodate and maintain any currently existing bike lanes and/or any bike lanes included in the Bicycle Master Plan, and shall be	To be completed

#	Location	Responsible Party ¹	Improvement	Status
			subject to the design guidelines in the City's Street Design Manual.	
MM-TRAF-4	Phyllis Place, from I-805 SB ramps to I-805 NB ramps	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, Phyllis Place shall be restriped from I-805 SB ramps to I-805 NB ramps to accommodate a total of five lanes. Restriping must accommodate and maintain any currently existing bike lanes and/or any bike lanes included in the Bicycle Master Plan, and shall be subject to the design guidelines in the City's Street Design Manual.	To be completed
MM-TRAF-5	Murray Ridge Road/I-805 NB ramps	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, at the intersection, in coordination with Caltrans, the NB off-ramp approach shall be restriped, the EB approach shall be restriped, the WB approach shall be reconfigured, and the NB on-ramp approach shall be widened.	To be completed
MM-TRAF-6	Murray Ridge Road/I-805 SB ramps	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, at the intersection, the EB approach shall be widened to accommodate two through lanes and an exclusive right-turn lane, the SB on-ramp shall be widened, and the SB off-ramp shall be widened to accommodate one share-through-left lane and two exclusive right-turn lanes.	To be completed
MM-TRAF-7	Qualcomm Way/Friars Road WB ramps	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, the Qualcomm Way and Friars Road WB ramps intersection shall be reconfigured with the following improvements: the SB approach shall be widened to accommodate two through lanes and one exclusive right-turn lane; the NB approach shall be restriped to accommodate two through lanes and two left-turn lanes; and the WB onramp shall be widened to accommodate two receiving lanes.	To be completed
Long-Term Scenario (Planned Transportation Systems)				
<i>Prior to the commencement of any grading activities or, if a grading permit is required, prior to the issuance of a grading permit to construct the road connection.</i>				
MM-TRAF-11	Phyllis Place, from Franklin Ridge Road to I-805 SB ramps	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, Phyllis Place from Franklin Ridge Road to I-805 SB ramp shall be widened to accommodate five total lanes (three EB and two WB), including a median. The new classification for this segment of Phyllis Place will be a five-lane Major Arterial. Widening must accommodate and maintain any currently existing bike lanes and/or any bike lanes	To be completed



#	Location	Responsible Party ¹	Improvement	Status
			included in the Bicycle Master Plan, and shall be subject to the design guidelines in the City's Street Design Manual.	
MM-TRAF-12	Phyllis Place, from I-805 SB ramps to I-805 NB ramps	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, Phyllis Place from I-805 SB ramp to I-805 NB ramp shall be restriped to accommodate five total lanes. Restriping must accommodate and maintain any currently existing bike lanes and/or any bike lanes included in the Bicycle Master Plan, and shall be subject to the design guidelines in the City's Street Design Manual.	To be completed
MM-TRAF-17	Via Alta and Franklin Ridge Road	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, this intersection shall be reconfigured such that the EB through/right-turn lane will be converted to a left/through/right-turn lane to account for additional EB to NB traffic.	To be completed
MM-TRAF-18	I-805 SB on-ramp at Murray Ridge Road	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, the applicant shall contribute a fair share contribution, in coordination with Caltrans, which would be applied toward an additional regular traffic ramp lane on the I-805 SB on-ramp from Murray Ridge Road.	To be completed
MM-TRAF-19	City View Church Driveway	Project	Prior to the commencement of any grading activities or, if a grading permit is required, prior to issuance of a grading permit, the City View Church driveway shall be relocated as part of the four-way intersection design with the proposed roadway connection and Phyllis Place.	To be completed

¹ Construction and/or funding may also be the responsibility of others. Project may be eligible for DIF credits and/or reimbursements for construction of the improvement.

² Appendix I of the Traffic Impact Study contains conceptual designs for each of these improvements. The Traffic Impact Study is Appendix B of the Quarry Falls Program EIR.

³ An EDU is equal to 10 ADT. Each development threshold is based on driveway trip generation rates.

⁴ Assurance to the satisfaction of the City Engineer shall not be required until construction of the Village Walk District commences.


⁵ The Serra Mesa Community Plan Roadway Connection Project shall be completed prior to issuance of any building permits for Phase 3 that exceeds 51,180 ADT, as assumed in Alternative 4 of the Quarry Falls Program Environmental Impact Report, p. 10-40.

⁶ See Ex. A.1, Rick Engineering Memo to Sudberry Properties, "Quarry Falls (Civita) – I-15 at Friars Road Ramp Intersection Improvements (Rick Engineering Company Job Number 17243)" (Mar. 23, 2021), and email from Dominique Navarro, Rick Engineering, dated June 28, 2021.

CITY TRAFFIC GENERATION WORKSHEET
As of 10/28/2021

Map	Planning District	Subdistrict	Lot(s)	Owner/User	Project Name	Land Use	Intensity	Trip Rate	ADT	AM Total	AM In	AM Out	PM Total	PM In	PM Out
A	Creekside	West	1, 4, 48	Suburban Development, Inc.	Circ 37	Residential - Multi Family Dwelling Units: 30 dwelling units/acre	305	6	1836	147	30	118	166	116	50
A	Footfalls	Southwest	9, 10, 11	Shea Homes Limited Partnership	Origen	Residential - Multi Family Dwelling Units: 21.37 dwelling units/acre	200	6	1200	96	19	177	108	76	32
A	Creekside	West	2, 3, A, B	Suburban Development, Inc.	Westpark	Residential - Multi Family Dwelling Units: 58.4 dwelling units/acre	612	6	3672	296	59	235	320	231	99
F	Footfalls	North	4	Shea Homes Limited Partnership	Lucent	Residential - Multi Family Dwelling Units: 28.5 dwelling units/acre	39	6	354	28	6	23	32	22	10
F	Footfalls	North	5	Shea Homes Limited Partnership	Frame	Residential - Multi Family Dwelling Units: 17.07 dwelling units/acre	64	8	512	41	8	33	51	36	15
F	Footfalls	North	5	Shea Homes Limited Partnership	Focus	Residential - Multi Family Dwelling Units: 21.41 dwelling units/acre	76	6	456	36	6	29	41	29	12
F	Footfalls	North	2	771 Real Estate	Alma	Residential - Multi Family Dwelling Units: 13.2 dwelling units/acre	45	8	360	29	6	23	36	25	11
B/C	Footfalls	Central	3	Chelica Investment Co.	Vista	Senior Housing	150	4	600	30	12	18	42	32	16
F	Footfalls	West	6	Ryland Homes	Apex	Residential - Single Family Dwelling Units: 13.6 dwelling units/acre	58	9	522	42	8	33	52	37	11
F	Footfalls	West	3	Shea Homes Limited Partnership	Lucent Phase II	Residential - Multi Family Dwelling Units: 25.2 dwelling units/acre	66	6	396	32	6	25	36	25	11
G	Park	West	2, 3, 4	Suburban Development, Inc.	Cuba Rac Center	Health Club - 18,970 SF ADI ADI per 1,000 SF	9	40	359	14	9	6	32	19	13
G	Terrace	West	1	Coblen Homes	Electra	Residential - Multi Family Dwelling Units: 31.3 dwelling units/acre	62	6	372	30	6	24	33	23	10
G	Ridgetop	East	8	New Home Company	Premontory	Residential - Multi Family Dwelling Units: 21.02 dwelling units/acre	133	6	798	64	13	51	72	50	22
B/C	Creekside	Central & East	2, 5	Suburban Development, Inc.	Park (Building A & B)	Residential - Multi Family Dwelling Units: 23.89 dwelling units/acre	434	6	2504	208	42	167	234	164	70
B/C	Creekside	East	4	Chelica Investment Co.	Siena & Stylus	Neighborhood Commercial: 22,274 square feet	18,989	120	2279	91	55	36	251	125	125
B/C	Creekside	East	4	Chelica Investment Co.	Siena & Stylus	Senior Housing	103	6	412	21	8	12	29	17	13
B/C	Creekside	East	4	Chelica Investment Co.	Siena & Stylus	Senior Housing	203	6	1218	97	19	78	110	77	33
B/C	Creekside	East	4	Chelica Investment Co.	Siena & Stylus	Senior Housing	37,39	40	1496	60	36	24	135	81	54
HI	Terrace	West & North	1, 7	Toll Brothers	Avila	Health Club 37,290 square feet	98	6	588	47	9	36	53	37	16
HI	Terrace	North	6	Shea Homes Limited Partnership	Manogue	Residential - Multi Family Dwelling Units: 22.48 dwelling units/acre	73	6	438	35	7	28	39	28	12
BC	Footfalls	Southeast	1	San Diego Unified School District	Elementary School	Residential - Multi Family Dwelling Units: 31.38 dwelling units/acre	1450	6	1200	95	19	77	108	76	32
F	Footfalls	Southeast	1	Suburban Development, Inc.	Apartment Project "F1"	Residential - Multi Family Dwelling Units: 65.7 dwelling units/acre	200	6							
							Total Proposed Project Driveway Trips								
							23,121								
							1,538								
							384								
							1,155								
							1,998								
							1,320								
							671								
							62,169								
							4,189								
							2,008								
							2,181								
							6,450								
							3,452								
							2,998								
							2,377								
							39,048								
							2,651								
							1,824								
							1,076								
							4,460								
							2,137								
							671								

Notes:
1 See page 9-4 of the Quarry Falls Specific Plan
ADT Triggers
Phase 1 0 ADT
Phase 2 23,750 ADT
Phase 3 51,180 ADT
Phase 4 59,040 ADT



SUBSTANTIAL CONFORMANCE REVIEW

PROJECT NO: 641937
APPROVAL NO: 2314857

Quarry Falls - Original Project No. 48068 (SDP Approval No. 183132) / SDP Approval No. 183135

DEVELOPMENT SERVICES DEPARTMENT

DATE: October 4, 2022 By: *William Kan*
Development Project Manager



SUBSTANTIAL CONFORMANCE REVIEW

PROJECT NO. 641937
APPROVAL NO. 2314857
Quarry Falls - Original Project No. 4004 (ISUP Approval No. 183782 POP Approval No. 180199)
DEVELOPMENT SERVICES DEPARTMENT
 DATE: **October 4, 2022** By: *Michaela*
Development Project Manager



CIVITA SHUTTLE ROUTE

 Westbound
  Eastbound

 Shuttle Stops

Morning

Civita to Hazard Center: 7:00, 7:30, 8:00, 8:30

Civita to Fenton Marketplace: 7:15, 7:45, 8:15, 8:45

Evening

Hazard Center to Civita: 5:00, 5:30, 6:00, 6:30

Fenton Marketplace to Civita: 5:15, 5:45, 6:15, 6:45

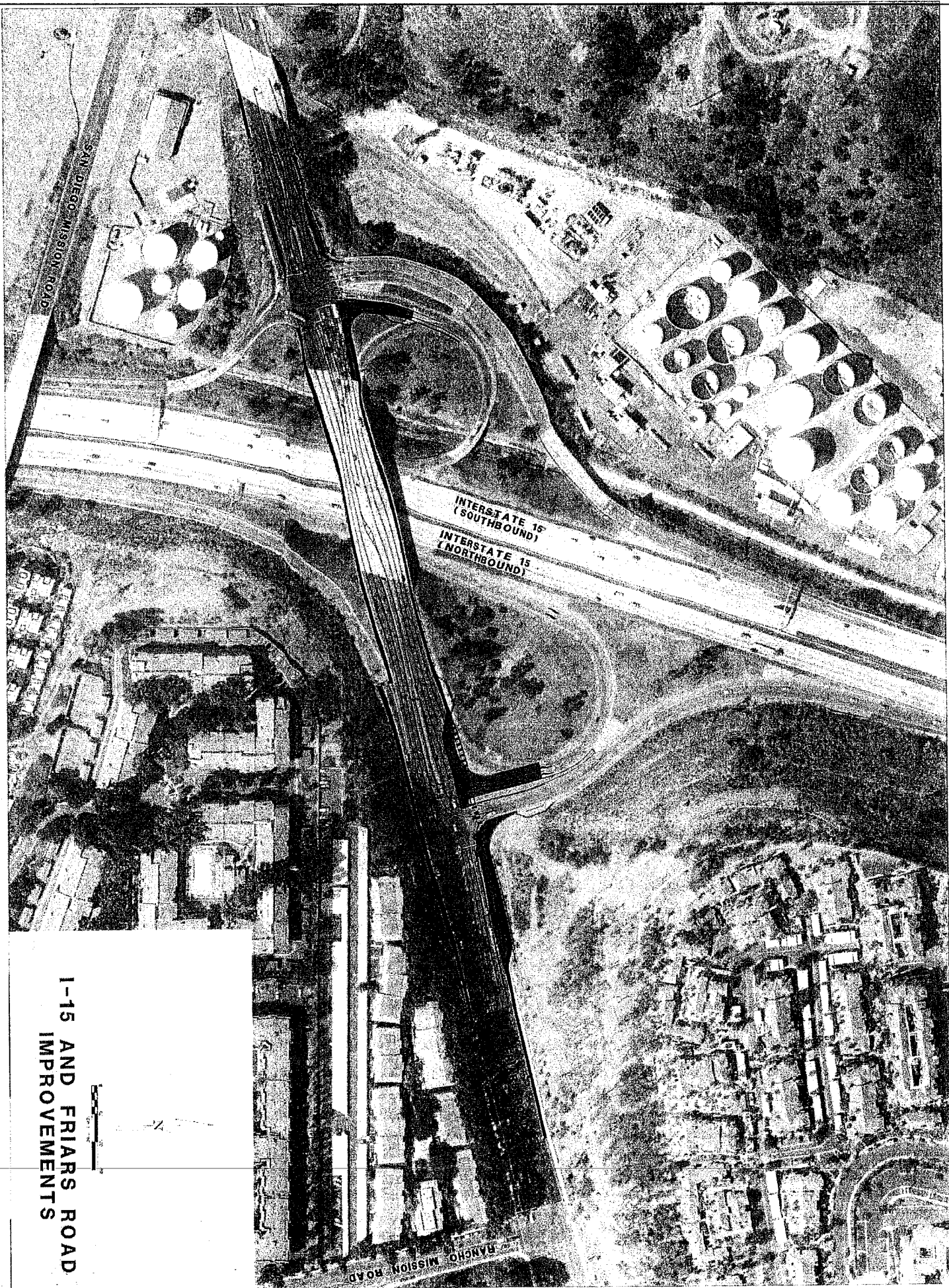
Exhibit E-1

RTCIP Improvement Description

The I-15 and Friars Road Interchange project proposes to reconfigure the I-15 NB loop exit-ramp and SB loop entrance-ramp by removing the free right-turn movement and "teeing up" the intersections. Friars Road will be widened (west and east of the existing overcrossing) to accommodate additional turn lanes. The reconfigured ramps and widening along Friars Road will support the future traffic volumes due to the Civita development (formerly Quarry Falls) as well as reduce vehicular conflicts. New Class II Bikeways and Class IV Separated Bikeways will also be striped along Friars Road in the westbound (WB) direction and existing Class II Bikeways will be maintained in the eastbound (EB) direction.

Exhibit F-1

RTCIP Improvement Figure



I-15 AND FRIARS ROAD
IMPROVEMENTS

Exhibit H-2

Revised Preliminary Cost Estimate for Creekside Park 1.44 Acres

Design: 12% of Construction	\$625,802
Construction (1) (2)	\$5,215,018
Construction Contingency: 10% of Construction Costs	\$521,502
City Administration: 10% of Design/Construction Costs	\$584,082
Developer Administration: 5% of Design/Construction Costs	\$292,041
Land Acquisition: \$584,000/acre (3)	\$420,480
Project Contingency (10%)	\$671,694
Total (4)	\$8,330,619

- (1) Construction costs include Rough Grading which is defined as, "Net rough grading cost means a pro-rata share of cost paid by Developer to rough grade the entire subdivision, less any savings realized by Subdivider in balancing the cut and fill soil of the subdivision site. Park Amenities, Half-width Street Improvements, and Utilities are also major components included in cost of construction. Construction costs reflect the actual bid from the lowest qualified bidder through the public bid process.
- (2) Park Amenities, per the Quarry Falls General Development Plan, may include but not limited to: active and passive recreation elements such as children's playgrounds, turf amphitheater, picnic areas with tables and barbecues, sitting areas, gazebo, comfort station, pathways and trails, an interpretive signage network along the bio-swales, lawn play area, lighting, irrigation, and landscaping.
- (3) Park equivalency acreage (1.44 acres) to remain in private ownership covered by Recreation Easement is 50% reimbursable. Final Map Quarry Falls, (Civita) Unit B&C: Lot E - .75 acre and Lot B - 0.62 acre.
- (4) In accordance with Section 4.6 of the Park Development Agreement for the Quarry Falls (Civita) Development Project, the total estimated cost may be increased in an amount not to exceed ten percent (10%).

Exhibit H-3

Revised Preliminary Cost Estimate for Franklin Ridge Pocket Park 0.20 Acre

Design: 12% of Construction	\$80,547
Construction (1) (2)	\$671,223
Construction Contingency: 10% of Construction Costs	\$67,122
City Administration: 10% of Design/Construction Costs	\$75,177
Developer Administration: 5% of Design/Construction Costs	\$37,588
Land Acquisition: \$584,000/acre (3)	\$116,800
Project Contingency (10%)	\$86,454
Total (4)	\$1,134,911

- (1) Construction costs include Rough Grading which is defined as, "Net rough grading cost means a pro-rata share of cost paid by Developer to rough grade the entire subdivision, less any savings realized by Developer in balancing the cut and fill soil of the subdivision site). Park Amenities, Half-width Street Improvements, and Utilities are also major components included in cost of construction. Construction costs reflect the actual bid from the lowest qualified bidder through the public bid process.
- (2) Park Amenities, per the Quarry Falls General Development Plan, may include but not limited to: passive recreation elements such as picnic areas, sitting areas, ½ court multi-purpose courts, pathways and lawn area, lighting, irrigation, and landscaping.
- (3) 0.20 acre to be conveyed to the City is 100% reimbursable. Final Map Quarry Falls, (Civita) Unit H&I: Lot L – 0.20 acre.
- (4) In accordance with Section 4.6 of the Park Development Agreement for the Quarry Falls (Civita) Development Project, the total estimated cost may be increased in an amount not to exceed ten percent (10%).

Exhibit H-4

Preliminary Cost Estimate for Phyllis Place Park 1.33 Acres

Design: 12% of Construction	\$392,948
Construction: (1) (2)	\$3,274,568
Construction Contingency: 10% of Construction Costs	\$327,457
City Administration: 10% of Design/Construction Costs	\$366,752
Developer Administration: 5% of Design/Construction Costs	\$183,376
Land Acquisition: \$584,000/acre (3)	\$800,000
Project Contingency: (10%)	\$421,764
Total (4) (5)	\$5,766,865

- (1) Construction costs include Rough Grading which is defined as, "Net rough grading cost means a pro-rata share of cost paid by Developer to rough grade the entire subdivision, less any savings realized by Developer in balancing the cut and fill soil of the subdivision site). Park Amenities, Half- width Street Improvements, and Utilities are also major components included in cost of construction.
- (2) Park Amenities, per the Quarry Falls General Development Plan, may include but not limited to: passive recreation elements such as children's play area, picnic tables and overlooks, sitting areas, pathways and trails, turf area lighting, irrigation, and landscaping.
- (3) 1.33 acres to be conveyed to the City is 100% reimbursable. Vesting Tentative Map: Lot P31 – 1.33 acres.
- (4) Phyllis Place Park, situated in the Serra Mesa Community, will be jointly funded by Serra Mesa (up to 38%) and Mission Valley (up to 62%) based on their respective population percentages.
- (5) In accordance with Section 4.6 of the Park Development Agreement for the Quarry Falls (Civita) Development Project, the total estimated cost may be increased in an amount not to exceed ten percent (10%).

Exhibit I

Amendment to the RTCIP Program



BUILD BETTER SD

CITY OF SAN DIEGO REGIONAL TRANSPORTATION
CONGESTION IMPROVEMENT PROGRAM (RTCIP)
FUNDING PROGRAM



THE CITY OF SAN DIEGO PLANNING DEPARTMENT

RESOLUTION NUMBER R- 314269DATE OF FINAL PASSAGE AUG 09 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AMENDING THE REGIONAL
TRANSPORTATION CONGESTION IMPROVEMENT
PROGRAM (RTCIP) RELATING TO BUILD BETTER
SAN DIEGO (SD) CITYWIDE INITIATIVE.

WHEREAS, in November 2004, voters approved Proposition A to extend the TransNet half-cent sales tax for transportation projects through 2048; and

WHEREAS, the passage of Proposition A resulted in the establishment of the Regional Transportation Congestion Improvement Program (RTCIP); and

WHEREAS, on April 14, 2008, the City Council adopted Resolution No. R-303554, originally approving and adopting the City's Funding Program pursuant to Report to City Council No. 08-049, as well as adopting the associated nexus study, and the development impact fee; and

WHEREAS, on April 24, 2012, the City Council adopted Resolution No. R-307401 formally adopting and revising the City's RTCIP Funding Program; and

WHEREAS, the purpose of the RTCIP is to ensure that new development directly invests in the region's transportation system to offset the negative impact of growth and congestion and mobility; and

WHEREAS, the RTCIP provides for the collection of a development impact fee per new dwelling unit to ensure future development contributes its proportional share of the funding needed to pay for Regional Arterial System (RAS) and related transportation

facility improvements, as identified and defined in the San Diego Association of Government's (SANDAG) most recently adopted Regional Transportation (RTP); and

WHEREAS, revisions to the City's RTCIP Funding Program have been proposed to better align the RTCIP Funding Program with Build Better San Diego (SD); and

WHEREAS, the RTCIP fee will be a component of the Citywide Mobility Development Impact Fee (DIF) and will be scaled by residential unit size; and

WHEREAS, the RTCIP will now be imposed citywide to ensure compliance with the TransNet extension ordinance with the movement to a Citywide Mobility DIF; and

WHEREAS; this amendment to the RTCIP Funding Program will not change the amount of the fee and it will remain subject to SANDAG's annual adjustment of no less than 2 percent to ensure the RTCIP retains its purchasing power to improve the Regional Arterial System; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the amendments to the RTCIP Funding Program, on file in the Office of the City Clerk as document No. RR 314269, are hereby adopted.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Shannon C. Eckmeyer
Shannon C. Eckmeyer
Deputy City Attorney

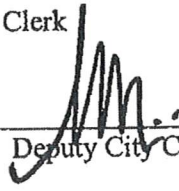
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07/13/2022
Or.Dept: Planning
Doc. No.: 2986139_2

Exhibit A – Amendments to RTCIP Funding Program

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 01 2022.

ELIZABETH S. MALAND
City Clerk

By


Deputy City Clerk

Approved:

8/8/22
(date)


TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

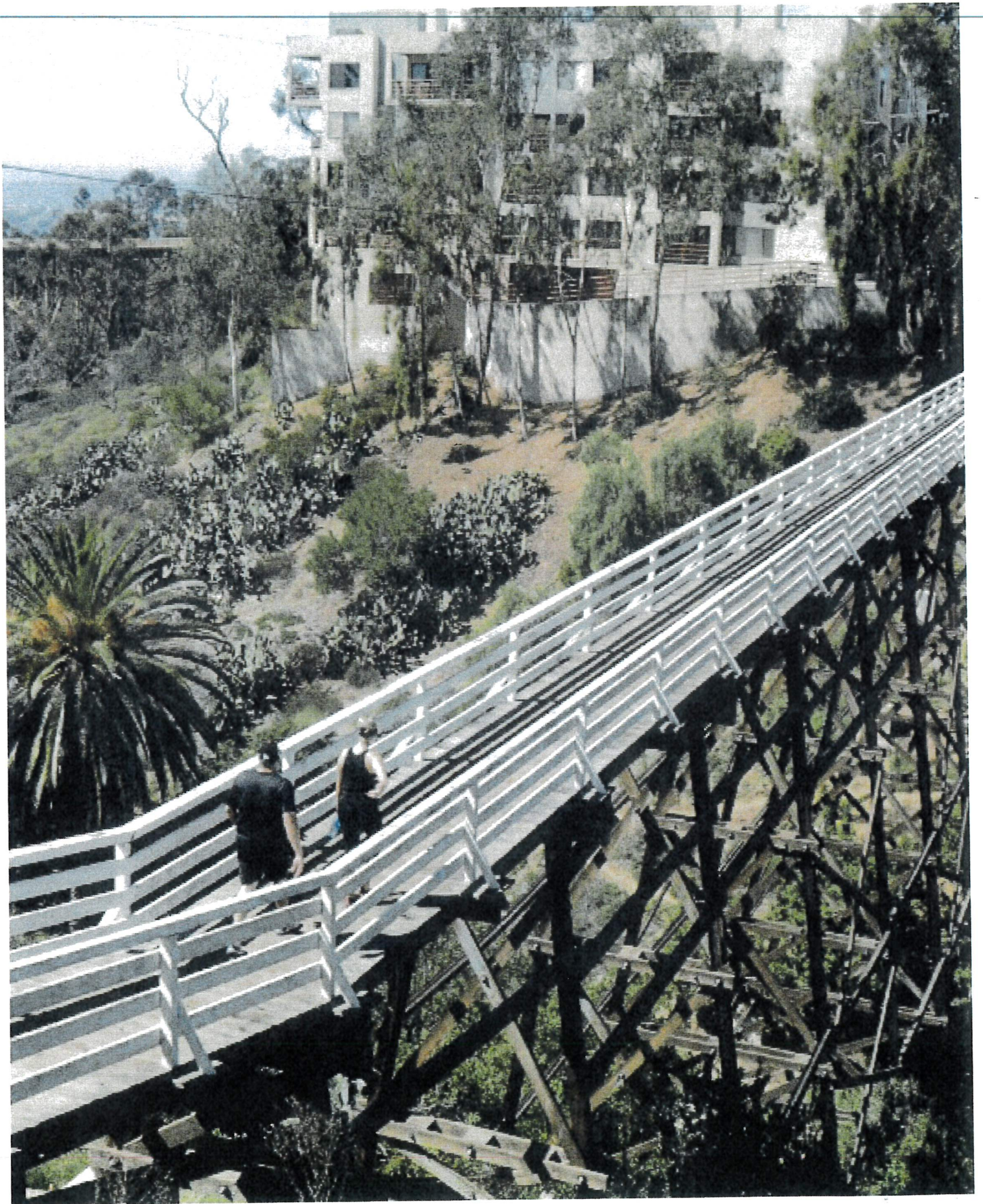
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INTRODUCTION

Providing transportation options is an integral part of providing a high level of mobility and quality of life throughout the San Diego region. In 2004, the SANDAG Board recognized the need to establish a Regional Transportation Congestion Improvement Program (RTCIP) to ensure future development contributes its share toward funding and mitigating new traffic impacts on the Regional Arterial System (RAS).

On May 28, 2004, the San Diego County Regional Transportation Commission adopted the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (TransNet 2 Ordinance), approved by San Diego voters in November, 2004. The TransNet 2 Ordinance (Appendix A) established a Regional Transportation Congestion Improvement Program (RTCIP) to ensure future development contributes its proportional share of the funding needed to pay for the Regional Arterial System (RAS) and related regional transportation facility improvements

Under Section 9 of the TransNet Extension Ordinance, each local agency shall establish an impact fee or other revenue Funding Program by which it collects and funds its contribution to the RTCIP; and shall be responsible for establishing a procedure for providing its monetary contribution to the RTCIP. This program is known as the local jurisdiction's Funding Program.

RTCIP revenue is to be used to construct improvements on the RAS such as new or widened arterials, traffic signal coordination and other traffic improvements, freeway interchange and related freeway improvements, railroad grade separations, and improvements required for regional express bus and rail transit. If a local agency does not comply with the RTCIP requirements set forth in the TransNet 2 Ordinance, the agency may lose TransNet sales tax funding for local roads.

This document constitutes the City of San Diego's RTCIP Funding Program (City RTCIP Program) pursuant to the TransNet 2 Ordinance requirements. Key Components to the City RTCIP Program include:

- Beginning July 1, 2008, the City of San Diego (City) must contribute \$2,000 (increased annually based upon the Engineering Construction Cost Index or similar cost of construction index or two percent, whichever is greater, and as approved by the SANDAG Board of Directors) on RAS improvements per each new residential dwelling unit (City RTCIP Funding Requirement);
- Beginning July 1, 2008, the City implements a City RTCIP Development Impact Fee Schedule on residential development, as adopted and updated annually by City Council Resolution, which identifies the applicable RTCIP fee (City RTCIP Fee);
- In the future, residential development in all communities will be required to pay a City RTCIP Fee which will be incorporated into the City's Mobility Fee Program. This will ensure that new development will contribute their fair share towards both the RTCIP fundings and the City's transportation network.
- City RTCIP Fees are collected prior to final inspection, before building occupancy; and revenues must be expended within the parameters defined under the Mitigation Fee Act (California Government Code Sections 66000 et seq.) and in a manner consistent with the expenditure priorities in the SANDAG Regional Transportation Plan (RTP); and
- The Independent Taxpayer Oversight Committee (ITOC), created by SANDAG for the TransNet Program is responsible for reviewing the City's implementation of the RTCIP Program.

SECTION 2

NEXUS STUDY

In order to comply with the Mitigation Fee Act, the City is required to make certain findings demonstrating a reasonable relationship or nexus between the amount of the City RTCIP Fee collected and the cost of public facilities attributable to the development on which the fee is imposed. On September 22, 2006 the SANDAG Board of Directors approved the "RTCIP Impact Fee Nexus Study" dated September 5, 2006, as prepared by MuniFinancial (Nexus Study). The Nexus Study ((Included in Appendix A) provides the basis for the dollar amount of the RTCIP Fee.

The Nexus Study was adopted by the San Diego City Council (City Council) on April 14, 2008 by Resolution No. R-303554.



RTCIP IMPACT FEE CALCULATION

SANDAG staff developed the original RTCIP contribution amount of \$2,000 per residence (FY 2009) using an approach that allocated transportation system improvements proportionately across both existing development and projected growth. The methodology, specified in the Nexus Study, assumes that all residential development, existing and new, has the same impact on the need for RAS improvements based on the amount of travel demand generated (vehicle trips). Thus, existing and new development should share proportionately in the cost of transportation system improvements. The original City RTCIP Fee was broken down into multi-family and a single family fees and in FY 2022 was \$2,456 per new multi-family residential unit; and \$3,069 per single family residential unit.

In the future, the City RTCIP Fee is included in the new Citywide Mobility DIF. The Citywide Mobility DIF is broken down into a multi-family and a single-family scaled fee based on unit type and size. The full RTCIP contribution amount (per residential unit), set by SANDAG every year, will be extracted from the Citywide Mobility DIF to go toward the RTCIP Funding Program.

The Transnet extension ordinance requires the City RTCIP fee to be adjusted annually in an amount not to exceed the percentage increase set forth in the Engineering Construction Cost Index (CCI) published by the Engineering News Record (ENR), or a similar CCI. The Ordinance also states that in no event shall the adjustment be less than 2 percent per year. The purpose of this annual adjustment is to ensure the RTCIP retains its purchasing power to improve the RAS. Each year, the SANDAG Board of Directors considers proposed fee adjustments during the month of February, and the new RTCIP fee amount takes effect at the start of the following fiscal year.

SECTION 4

COLLECTION & EXPENDITURE OF IMPACT FEES

In accordance with Municipal Code Section 142.0640(b), and the resolutions adopting the City RTCIP Fee, the City RTCIP Fee is due prior to final inspection, before building occupancy.

Revenues collected through the City RTCIP Program shall be used for preliminary and final engineering, right-of-way acquisition, and construction that will be needed to accommodate future travel demand generated by new development throughout the San Diego region. Selection of proposed projects to be fully or partially funded by the City RTCIP Program are based upon RTCIP eligibility criteria and the City Council approved CIP Prioritization Policy (800-14).



RTCIP Fee revenues must be expended on improvements to the RAS, as designated and updated periodically in the SANDAG Regional Arterials by Jurisdiction (Appendix B). RAS arterials are defined as meeting one of three criteria:

- Provides parallel capacity in high-volume corridors to supplement freeways, state highways, and/or other regional arterials (Corridor);
- Provides capacity and a direct connection between freeways or other regional arterials, ensuring continuity of the freeway, state highways, and arterial network throughout the region without duplicating other regional facilities (Cross-corridor); or
- Provides all or part of the route for existing or planned regional and/or corridor transit service that provides headways of 15 minutes or less during the peak period.
- New or widened arterials, with priority for walking/rolling, bicycle, and transit service
- Turning lanes
- Traffic signal coordination and other traffic improvements
- Freeway interchange and related freeway improvements
- Railroad grade separations
- Improvements required for express bus service
- Transit facilities: new bus stops, bus stops enhancements, bus only lanes, traffic signals priority for buses, queue jumper lanes for buses, circulator routes for buses
- Active transportation: traffic calming measures, pedestrian and bike paths, ramps, crossings, buffer area between sidewalk and street, and roadways lightings

To achieve the City's ambitious climate goals set forth in the Climate Action Plan, priority shall be given to RAS improvements that facilitate walking/rolling, bicycling, and transit.

SECTION 5

[RESERVED]



REPORTING REQUIREMENTS

Annual Letter of Conformance

The City of San Diego Planning Department submits an annual letter to the SANDAG Independent Taxpayers Oversight Committee (ITOC) prior to April 1st of each year to document that the City did submit to ITOC the San Diego RTCIP Funding Program in accordance with the RTCIP requirements contained within the TransNet Extension Ordinance, and to confirm that the program submitted is still in effect and has not materially changed (or provide any changes to the RTCIP program approved by City Council).

Annual Audit

The ITOC annual audit is conducted in the Department of Finance in conjunction with Planning Department to verify it has collected or provided RAS improvements in an amount or value greater than the current SANDAG RTCIP Fee per residential unit.

SECTION 7

GENERAL EXEMPTIONS

Consistent with the RTCIP as set forth in the TransNet 2 Ordinance, the following types of development are exempt from the City RTCIP Fee:

- A. New moderate, low, very low and extremely low income residential units as defined in California Health and Safety Codes;
- B. Government/public buildings, public schools and public facilities;
- C. Rehabilitation and/or reconstruction of any legal residential structure and/or the replacement of a previously existing residential unit;
- D. Development projects subject to Public Facilities Development Agreements prior to the effective date of the TransNet Extension Ordinance (May 28, 2004) that expressly prohibit the imposition of new fees; provided however, that if the terms of the development agreement are extended after July 1, 2008, the requirements of the City RTCIP Program shall be imposed;
- E. Guest dwellings;
- F. Additional residential units located on the same parcel regulated by the provisions of any agricultural zoning;
- G. Kennels and catteries established in conjunction with an existing residential unit;
- H. The sanctuary building of a church, mosque, synagogue, or other house of worship eligible for property tax exemption;
- I. Residential units that have been issued a building permit prior to July 1, 2008; and
- J. Condominium conversions.
- K. First Accessory Dwelling Units (ADU) built on a premises;

SECTION 8

AFFORDABLE HOUSING EXEMPTION

In order to be exempt from payment of the City RTCIP Fee at the time of building permit issuance, each unit must meet the definition of affordable housing as defined above in Section 7(A) for a minimum of 55 years, and the developer must provide a recorded copy of an affordable housing agreement with the responsible government agency.



ALTERNATIVELY CONTRIBUTING DEVELOPMENT PROJECTS

Projects which include residential development have the option to construct RAS improvements In-lieu of contributing to the City RTCIP Fee. Based on the cost of the improvements, these residential development projects may qualify for a full or partial exemption from paying the RTCIP.

In certain circumstances, the City may determine that a particular project will otherwise contribute the required contribution toward the RAS, and thus meet the RTCIP Funding Requirement through the payment of other development fees or provision of RAS improvements valued at an amount greater than or equal to the amount the project would otherwise be required to pay through City RTCIP Fee collection. These development projects may be considered to be Alternately Contributing Community Projects, and residential units within these projects may qualify for the RTCIP exemption.

To be exempt from paying the City RTCIP Fee at time of final inspection, prior to final inspection the City must verify that the value of the RAS improvement being provided exceeds the revenue requirements of the RTCIP Funding Program. If it cannot be verified, the City RTCIP Fee shall be paid prior to final inspection. If the value received from the project toward RAS improvements is determined to be insufficient, in no case shall a final inspection occur until the deficit is paid in City RTCIP Fees. In order to comply with the annual auditing requirements of the RTCIP, the City must submit evidence demonstrating that the required contribution toward the City RTCIP has been met through the provision of improvements that equal or exceed the City RTCIP Fee.

Each alternately contributing community project shall be required to submit documentation for each RAS improvement it provides, in support of its alternative contribution to the RTCIP Funding Requirement. Such documentation shall include, but not be limited to, copies of contracts, change orders, and invoices received, proof of vendor payments, and proof that all mechanic liens have been released. The City shall verify whether materials and work have been installed and performed per the documents submitted, terms of the project plans and specifications, and adherence to the bid list as to quality and quantities.

SECTION 9

The applicant will be required to establish a deposit account with the City, and contribute up to a maximum of three percent (3%) of the total cost of each RAS improvement as stated below:

- Up to three percent (3%): RAS improvement less than \$1,000,000;
- Up to two percent (2%): RAS improvement greater than \$1,000,00 and less than \$5,000,000; or
- Up to one percent (1%): RAS improvement greater than \$5,000,000.

The deposit account will fund the cost to review and verify the value of the RAS improvement provided in lieu of the City RTCIP Fee. It is anticipated that the review and verification process will be conducted by a consultant retained by the City. The funds used in the deposit account shall not count toward the value of the RAS improvement contributed in lieu of the City RTCIP Fee, nor shall it be considered a credit against fees.

For approved alternatively contributing projects, RTCIP reimbursement or credit allowance may be issued.

RTCIP Reimbursement

At the City's sole discretion, City RTCIP Fees already paid at time of final inspection may be reimbursed to a private developer, if the private developer has designed and/or constructed an eligible RAS improvement and has entered into a Reimbursement Agreement (RA) with the City, and as per the specific terms of the RA.

RTCIP Credit Allowance

At the City's discretion, a private developer (Developer) may be entitled to a City RTCIP Fee credit allowance as follows:

A. Up to twenty-five percent (25%) credit allowance based on the City verified cost estimate for the RAS improvement subject to a Developer satisfying all of the following requirements:

1. All construction plans and drawings for the RAS improvement have been approved by the City;
2. Any right-of-way required for the RAS improvement has been secured and dedicated, or an irrevocable offer to dedicate has been provided to the City;
3. All required permits and environmental clearances necessary for the RAS improvement have been secured;
4. Provision of all performance bonds and payment bonds to complete the RAS improvement; and
5. Payment of all City fees and costs.

B. Up to fifty percent (50%) credit allowance based on the amount of the construction contract, consultants contract, and soft costs that qualify as allowable in lieu costs then incurred for the individual RAS improvement subject to a Developer satisfying all of the above referenced requirements for the twenty-five percent (25%) credit allowance, and provided Developer has received valid bids for the RAS improvement, and has awarded the construction contract.

C. Up to ninety percent (90%) credit allowance at the time of Operational Acceptance, provided that reimbursement requests have been submitted and approved for such amounts, based on the value of the improvements as verified by the City.

D. A credit allowance shall be issued to Developer based upon the remaining ten percent (10%) of value of RAS improvement upon the later of: (i) the recordation by Developer of the notice of completion and delivery of a conformed copy to City, or (ii) City's written acceptance of the Project As-Built Drawings.

APPENDIX A

SANDAG TransNet Extension Ordinance and Expenditure Plan

[PAGES RESERVED FOR APPENDICES]

APPENDIX B

Regional Arterials within San Diego Jurisdiction

[PAGES RESERVED FOR APPENDICES]

Exhibit I-1

Civita Demonstration of Alternately Contributing Community Project

In Lieu of paying the RTCIP Impact Fee, this project may provide its share towards mitigating new traffic impacts on the RAS by constructing RAS improvements in an amount or value greater than the City's RTCIP Funding Requirement per residential unit (Alternately Contributing Community Project). If the Subdivider elects this option, it is subject to establishing a deposit account with the City, with a maximum of three percent (3%) of the total cost of RAS improvements as identified in the City's RTCIP Funding Program.

Below is the project specific analysis demonstrating that the value of Civita's construction of RAS improvements exceeds the City's RTCIP Funding Requirement both with and without the Phyllis Place Road Connection:

Proposed Alternative Contribution—With Road Connection

Number of Market Rate Residential Units: 4,302

Estimated Value of RAS Improvements \$43,350,355

With Road Connection (2024)

Approx. Per Unit Average: \$10,077

RAS PROJECT AND CONSTRUCTION COST ESTIMATES – WITH ROAD CONNECTION		
Project	Project Title	Actual Cost
PHASE 1 (Completed)		
1a	Friars Road / SR-163 Interchange	\$5,000,000
4	Friars Road - Qualcomm Way to Mission Center Road	\$4,000,000
10	Friars Road & Avenida De Las Tiendas	\$206,180
11	Texas St. - Camino del Rio S. to El Cajon	\$1,374,669
PHASE 2 (Completed)		
14	Friars Road / Fashion Valley Road	Incl Above in Project #10
17	Friars Road EB ramp / Qualcomm Way	\$5,114,152
18	Friars Road WB ramp / Qualcomm Way	Incl. Above Project #17

RAS PROJECT AND CONSTRUCTION COST ESTIMATES – WITH ROAD CONNECTION		
Project	Project Title	Actual Cost
MM-TRAF7	Qualcomm Way / Friars Road WB ramps	Incl. Above Project #17
PHASE 3 (Completed)		
20	Texas Street / El Cajon Blvd.**	<u>\$0</u>
	Actual Cost	\$15,670,568
PHASE 2 (To Be Completed)		Estimated Cost
16	Pedestrian Bridge across Friars Rd.	\$5,500,000
5b	Phyllis Place / I-805 SB ramp***	\$4,500,000
19	Friars Rd/I-15 SB Off-ramp	\$11,346,314
MM-TRAF5	Murray Ridge Road / I-805 NB ramps	\$4,500,000
MM-TRAF6	Murray Ridge Road / I-805 SB ramps	Incl Above Project # 5b
MM-TRAF18	I-805 SB on-ramp at Murray Ridge Road	<u>\$4,500,000</u>
	Estimated costs in 2024 dollars	\$30,346,314
PHASE 3 (To Be Completed)		
1b	Friars Road / SR-163 Interchange****	<u>\$14,000,000</u>
	Total Estimated Contribution:	\$60,016,882

* The Phyllis Place / I-805 / Franklin Ridge road connection project may be reimbursed if added to the RTP.

** The Texas Street / El Cajon Boulevard improvements have been completed.

*** Quarry Falls Transportation Phasing Plan assumes construction of Phyllis Place road connection.

**** 2007 Dollars

Standard RTCIP Impact Fee Calculation:

Number of Market Rate Residential Units:	4,302
Number of Affordable Units	478
FY 2023 RTCIP Impact Fee:	\$2,688,21
Total Estimated Contribution:	\$11,564,679.42

Proposed Alternative Contribution—Without Road Connection

Number of Market Rate Residential Units:	4,302
--	-------

Estimated Value of RAS Improvements \$27,784,180
Without Road Connection (2017)
Approx. Per Unit Average: **\$5,812**

RAS PROJECT AND CONSTRUCTION COST ESTIMATES – WITHOUT ROAD CONNECTION		
Project	Project Title	Actual Cost
PHASE 1 (Completed)		
1	Friars Road / SR-163 Interchange	\$5,000,000
4	Friars Road - Qualcomm Way to Mission	\$4,000,000
10	Friars Road & Avenida De Las Tiendas	\$206,180
11	Texas St. - Camino del Rio S. to El Cajon	\$1,350,236
PHASE 2 (Completed)		
14	Friars Road / Fashion Valley Road	Incl Above in Project #10
17	Friars Road EB ramp / Qualcomm Way	\$5,114,152
18	Friars Road WB ramp / Qualcomm Way	<u>Incl. Above Project #17</u>
	Actual Cost	\$15,670,568
PHASE 2 (To Be Completed)		
		Estimated Cost
15a	Friars Road / SR-163 Interchange*	\$14,000,000
15b	Mission Center Road/ I-8 Interchange*	\$1,000,000
16	Pedestrian Bridge across Friars Rd.	\$5,500,000
19	Friars Rd/I-15 SB Off-ramp	<u>\$11,346,314</u>
	Estimated Cost	\$31,846,314
PHASE 3 (To Be Completed)		
15b	Mission Center Road/I-8 Interchange	\$10,000,000
20	Texas St/ El Cajon Blvd**	\$0
21	Qualcomm Way / I-8 WB off ramp	<u>\$1,500,000</u>
	Estimated Cost	\$11,500,000
	Total Estimated Contribution:	\$59,016,882

* 2007 Dollars

** The Texas Street / El Cajon Boulevard improvements have been completed.

Exhibit Q

RTCIP Improvement Cost Estimate

1. Project: Friars Rd / I-15 SB Off-Ramp

2. Scope: The I-15 and Friars Road Interchange project proposes to reconfigure the I-15 NB loop exit-ramp and SB loop entrance-ramp by removing the free right-turn movement and "teeing up" the intersections. Friars Road will be widened (west and east of the existing overcrossing) to accommodate additional turn lanes. The reconfigured ramps and widening along Friars Road will support the future traffic volumes due to the Civita development (formerly Quarry Falls) as well as reduce vehicular conflicts. New Class II Bikeways and Class IV Separated Bikeways will also be striped along Friars Road in the westbound (WB) direction and existing Class II Bikeways will be maintained in the eastbound (EB) direction.

3. Design Costs

a.	Civil Engineer	\$	500,000.00	
b.	Soils Engineer	\$	100,000.00	
c.	Traffic Engineer	\$	25,000.00	
d.	Structural Engineer	\$	50,000.00	
e.	Misc. Consultants	\$	<u>250,000.00</u>	
				\$ 925,000.00

4. Miscellaneous Soft Costs

a.	Plan Check & Permits	\$	200,000.00	
b.	Reimbursement Consultant	\$	100,000.00	
c.	Construction Consulting	\$	-	
d.	Employment Consultant	\$	-	
e.	Bonding	\$	200,000.00	
f.	Plan Processing	\$	100,000.00	
g.	Misc. Costs	\$	<u>200,000.00</u>	
				\$ 800,000.00

5. Hard Costs

a.	General Contractor	\$	8,339,642.00	
b.	Change Orders - GC	\$	<u>250,189.26</u>	
				\$ 8,589,831.26

6. Contingency 10% \$ 1,031,483.13

7. Total \$ 11,346,314.39

ORDINANCE NUMBER O- **21977** (NEW SERIES)

DATE OF FINAL PASSAGE **JUN 26 2025**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING SECOND AMENDMENTS
TO A REIMBURSEMENT AGREEMENT AND A PARK
DEVELOPMENT AGREEMENT FOR QUARRY FALLS
(CIVITA) DEVELOPMENT PROJECT IN THE MISSION
VALLEY COMMUNITY.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. On November 27, 2012, the City of San Diego (City) and Quarry Falls, LLC, a California limited liability company (Developer); entered into Reimbursement Agreement No. 00-20219 (Reimbursement Agreement) and Park Development Agreement No.00-20220 (Park Development Agreement) (collectively Agreements) for the Quarry Falls (Civita) Development Project (Project).

B. On September 26, 2013, after the City and Developer signed the Agreements, the Council adopted Ordinance O-20299, requiring the payment of prevailing wages on City public works projects, as codified in San Diego Municipal Code section 22.3019.

C. On August 3, 2018, the Council adopted Ordinance O-20975, authorizing the Developer and the City to enter into the First Amendment to the Agreements (First Amendment) to account for prevailing wages and differences in park acreage.

D. On August 13, 2021, the Council adopted Resolution R-313688, creating a new Citywide Park Development Impact Fee (Citywide Park DIF) to provide a simplified fee program to fund the City's parks and adopted a new Park Master Plan.

E. On August 9, 2022, the Council adopted Resolution R-314273, creating a new Citywide Mobility Development Impact Fee (Citywide Mobility DIF) to include the Regional Transportation Congestion Improvement (RTCIP) component of the fee to provide a simplified fee program to fund City's mobility improvements and amended the RTCIP.

F. On October 4, 2022, the City approved Substantial Conformance Review (SCR) No. 2314857 to align the Civita Transportation Phasing Plan with the Serra Mesa and Mission Valley Community Plans by including a road connection between the two communities as presented in "Alternative 4 – Road Connection To Phyllis Place" to the 2008 Quarry Falls Program Environmental Impact Report and analyzed in the 2017 Final EIR for the Serra Mesa Community Plan Update. This SCR found the modifications to be in substantial conformance to the previously approved Site Development Permit No. 183193 and Quarry Falls Project No. 49068 Mitigation Monitoring Reporting Program (MMRP). SCR No. 2314857 verifies conformance with the existing conditions for the Transportation Phasing Plan for the Project.

G. Central Park, as identified in Exhibit H-1 of the Agreements and the First Amendment, was completed on August 21, 2020, and all reimbursements associated with those park improvements have been expended.

H. The City and Developer desire to amend the Agreements and their First Amendment to update preliminary cost estimates for Creekside Park and Franklin Ridge Pocket Park to account for increased costs that have exceeded the Estimated Costs of the Agreements, as well as amend the cost estimate for Phyllis Place Park to reflect more accurate up-to-date estimates, to account for updated construction costs for transportation projects, to clarify the Developer has elected to continue to participate in the Mission Valley community-wide DIF and not the Citywide Park DIF/Citywide Mobility DIF, the Developer's option to construct

improvements in lieu of paying the RCTIP fee, and to clarify that the Developer has satisfied MMRP requirements.

I. To reflect these amendments, the City and Developer have negotiated the terms of the proposed Second Amendment to the Agreements and First Amendment (Second Amendment), included in the docket materials accompanying this Ordinance.

J. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

K. The Second Amendment is subject to San Diego Charter section 99, which provides (subject to certain exceptions) that no contract, agreement, or obligation creating City indebtedness and extending for a period of more than five years may be authorized except by an ordinance adopted by a two-thirds majority of the Council.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. The Council approves the Second Amendment to the Reimbursement Agreement.

Section 2. The Council approves the Second Amendment to the Park Development Agreement.

Section 3. The Developer agrees, through the Second Amendment, to continue to participate in the Mission Valley community-wide DIF and not the Citywide Park DIF/Citywide Mobility DIF programs. San Diego Municipal Code section 142.0640(f)(5) shall not apply to distributions of funds under the Second Amendment.

Section 4. The Mayor or designee is authorized, on the City's behalf, to sign and deliver the Second Amendment to Reimbursement Agreement. When signed by both parties, the Second Amendment will be placed on file in the Office of the City Clerk as Document No.

OO- **21977-1**

Section 5. The Mayor or designee is authorized, on the City's behalf, to sign and deliver the Second Amendment to Park Development Agreement. When signed by both parties, the Second Amendment will be placed on file in the Office of the City Clerk as Document No.

OO- **21977-2**

Section 6. The Chief Financial Officer is authorized to appropriate and expend funds under the Second Amendment in an amount not to exceed \$15,232,395 from Mission Valley Urban Community Development Impact Fee, Fund 400135, contingent upon the adoption of the Appropriation Ordinance of the applicable fiscal year and the Chief Financial Officer first certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 7. The Chief Financial Officer is authorized to appropriate and expend funds from Mission Valley Urban Community Development Impact Fee, Fund 400135 for an additional \$16,000 for staff costs related to the park projects in the Second Amendment, contingent upon the adoption of the Appropriation Ordinance of the applicable fiscal year and the Chief Financial Officer first certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

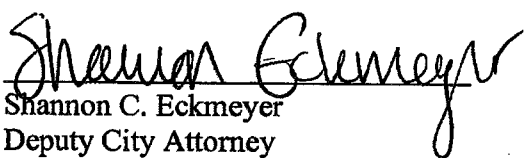
Section 8. The Chief Financial Officer is authorized to appropriate and expend funds from Regional Transportation Congestion Improvement Program, Fund 400174 for an additional \$26,000 for staff costs related to Regional Arterial System mobility improvements, contingent

upon the adoption of the Appropriation Ordinance of the applicable fiscal year and the Chief Financial Officer first certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 9. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 10. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: HEATHER FERBERT, City Attorney

By 
Shannon C. Eckmeyer
Deputy City Attorney

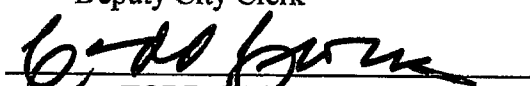
SCE:cm
May 20, 2025
Or. Dept: City Planning
Doc. No. 3887919

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
JUN 24 2025

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 6/26/25
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 24 2025, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<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 JUN 26 2025.

AUTHENTICATED BY:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Linda Green, 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

JUN 09 2025, and on JUN 26 2025.

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)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Linda Green, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- **21977**

Passed by the Council of The City of San Diego on June 24, 2025, by the following vote:

YEAS: WHITBURN, FOSTER III, VON WILPERT, LEE, CAMPILLO, MORENO,
& ELO-RIVERA.

NAYS: NONE.

NOT PRESENT: LACAVA, CAMPBELL.

RECUSED: NONE.

AUTHENTICATED BY:

TODD GLORIA

Mayor of The City of San Diego, California

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California

(Seal)

By: Linda Irvin, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true, and correct copy of
ORDINANCE NO. O-21977 (New Series) of The City of San Diego, California.

I FURTHER CERTIFY that said 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
June 24, 2025 and June 26, 2025.

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.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California

(SEAL)

By: Linda Irvin, Deputy

