(R-2016-695)

RESOLUTION NUMBER R- 310559

DATE OF FINAL PASSAGE JUL 06 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FISCAL YEAR 2016 MIRA MESA PUBLIC FACILITIES FINANCING PLAN AND FACILITIES BENEFIT ASSESSMENT AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ESTABLISH AND MODIFY INDIVIDUAL CAPITAL IMPROVEMENT PROGRAM PROJECT BUDGETS TO REFLECT THE PLAN.

112M # 224 5-18-1. 6/21/16

BE IT RESOLVED, by the Council of the City of San Diego, that it approves the Mira

Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2016

(Financing Plan), a copy of which is on file in the Office of the City Clerk as Document No.

RR- **310559**.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to establish

and modify individual Capital Improvement Program project budgets to reflect the Financing

Plan provided funding is available for such action.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

Keely M. Halsey Deputy City Attorney

KMH:als 05/17/2016 Or.Dept: Planning Dept. Doc. No.: 1279118

-PAGE 1 OF 2-

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ______JUN **21** 2016_____.

ELIZABETH S. MALAND City Clerk

By nanh Deputy City Clerk

KEVIN L. FAULCONER, Mayor

16 Approved: (date)

Vetoed:

(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The Ci	ty of San Diego on	JUN 2	, by	the following vote	e:
Councilmembers	Yeas	Nays	Not Present	Recused	
Sherri Lightner					
Lorie Zapf	Z				
Todd Gloria	Ø				
Myrtle Cole	Ø				
Mark Kersey	Z				
Chris Cate	X				
Scott Sherman	Z				
David Alvarez	R				
Marti Emerald			Ø		
				50 C	

Date of final passage _____ JUL 0.6 2016

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

AUTHENTICATED BY:

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

(Seal)

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

By Deputy 102

Office of the City	Clerk, San Diego, California
	040550
Resolution Number R-	310559

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ITEM井S500

7/19/16

Resolution number R-310613

DATE OF FINAL PASSAGE JUL 19 2016

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

WHEREAS, the Council of the City of San Diego (City Council) desires to initiate proceedings for the designation of a facilities benefit assessment area of benefit in Mira Mesa pursuant to San Diego Municipal Code Chapter 6, Article 1, Division 22, which area of benefit will specially benefit from the acquisition, improvement, and construction of certain public improvements more particularly identified and described in the Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2016 (Financing Plan), a copy of which is on file in the Office of the City Clerk as Document No. RR- **310559**; and

WHEREAS, on June 21, 2016, the Council, by Resolution No. R-310560, previously declared its intention to designate the area of benefit in Mira Mesa and set the time and place for holding a public hearing thereon for July 19, 2016, but there was insufficient time between the date of final passage of that resolution and the July 19, 2016 hearing date to afford adequate notice thereof to the affected property owners and the Council now desires to adopt a new resolution to declare its intention to designate the area of benefit and set a new time for holding the public hearing thereon; and

WHEREAS, the specific public facilities projects, the cost of which is proposed to be charged to the properties located within the area of benefit, are identified in the Financing Plan; and WHEREAS, a Capital Improvement Program with respect to the public facilities projects is included in the Financing Plan; and

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

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

WHEREAS, as described in the Financing Plan, the City Council has determined that it is necessary to provide for 3% annual automatic increases for Fiscal Year 2016 and each year thereafter in the amount of facilities benefit assessments for landowners who have not paid their facilities benefit assessments without the necessity for further proceedings pursuant to San Diego Municipal Code section 61.2212 in order to reflect increases in the cost of money during the period between the imposition of the facilities benefit assessment, the payment of facilities benefit assessments, and completion of the public facilities projects; and

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

BE IT RESOLVED, by the Council of the City of San Diego, that the Council rescinds Resolution No. R-310560.

BE IT FURTHER RESOLVED, as follows:

 That the foregoing recitals are true and correct and incorporated fully herein by this reference. 2. Pursuant to San Diego Municipal Code Chapter 6, Article 1, Division 22, the Council declares its intention to designate an area of benefit within Mira Mesa to finance the cost of the public facilities projects identified in the Financing Plan, which is incorporated into this Resolution by reference.

3. The City Council shall hold a public hearing to consider the designation of the area of benefit as proposed in this Resolution at 10:00 a.m., or as soon thereafter as the matter may be heard, on August 2, 2016 at the Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California.

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

APPROVED: JAN I. GOLDSMITH, City Attorney

By Keely M. Halsey

Deputy City Attorney

KMH:als 07/12/2016 Or.Dept: Planning Dept. Doc. No.: 1320081 I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 71916.

ELIZABETH S. MALAND City Clerk

By Deputy City C

KEVIN L. FAULCONER, Mayor

9/16 Approved: (date)

Vetoed:

(date)

KEVIN L. FAULCONER, Mayor

Passe	ed by the Council of The C	ity of San Diego on	JUL	. 9 2016 , by	the following vote:
e .]	Councilmembers	Yeas	Nays	Not Present	Recused
	Sherri Lightner				
	Lorie Zapf	Ŕ			
	Todd Gloria	」			
	Myrtle Cole				
	Mark Kersey				
	Chris Cate	T_	· 🔲	· []	
	Scott Sherman	É,			
	David Alvarez	Σ,			
	Marti Emerald	\$			

Date of final passage JUL 1 9 2016

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

AUTHENTICATED BY:

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

ELIZABETH S. MALAND City Clerk of The City of San Diego, California. By 0 Deputy

Office of the City Cle	erk, San Diego, California	
Resolution Number R	310613	

(Seal)

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RESOLUTION NUMBER R- 310665 DATE OF FINAL PASSAGE AUG 10 2016

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

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

WHEREAS, the Council of the City of San Diego has reviewed and considered the methodology set forth in the Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2016, (Financing Plan), a copy of which on file in the Office of the City Clerk as Document No. RR-_____310559; NOW, THEREFORE,

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

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

2. Effective sixty days from the date of final passage of this resolution, that all DIFs due under the Financing Plan shall be those fees in effect at the time building permits or construction permits are issued, in accordance with San Diego Municipal Code section 142.0640.

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

-PAGE 1 OF 4-

(R-2017-49)

4. That the Financing Plan is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code section 66025, for imposition of development impact fees. Specifically, it is determined and found that this documentation:

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

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

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

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

-PAGE 2 OF 4-

 (i) Transportation Projects: Both residential development and nonresidential development utilize the community's transportation system, which requires various street and bridge projects, traffic signal interconnect systems, and medians.

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

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

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

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

APPROVED: JAN I. GOLDSMITH, City Attorney

By

Keelv M. Deputy City Attorney

KMH:als 07/20/2016 Or.Dept: Planning Dept. Doc. No.: 1326137 I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ______.

ELIZABETH S. MALAND City Clerk By Man Amanda Deputy City Clerk Deputy City Clerk

KEVIN L. FAULCONER, Mayor

Approved:

8/8/16 (date)

Vetoed:

(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The Ci	ty of San Diego on	AUG 02 2016		, by the following vote:	
Councilmembers	Yeas	· Nays	Not Present	Recused	
Sherri Lightner	Z				
Lorie Zapf	\square				
Todd Gloria	\bowtie				
Myrtle Cole	\bowtie				
Mark Kersey					
Chris Cate	Ø,	· 🔲			
Scott Sherman	Z				
David Alvarez	Ø				
Marti Emerald	Z				
	Ŧ				

Date of final passage AUG 1 0 2016

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

AUTHENTICATED BY:

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

(Seal)

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

By nont , Deputy

Office of the City Clerk	, San Diego, California
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Resolution Number R-310665

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(R-2017-50)

RESOLUTION NUMBER R- 310666

DATE OF FINAL PASSAGE AUG 10 2016

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

WHEREAS, pursuant to San Diego Municipal Code Chapter 6, Article 1, Division 22, on
JUL 19 2016 ______, the Council of the City of San Diego adopted Resolution No.
R - <u>310613</u> (Resolution of Intention) declaring its intention to designate an area of
benefit within Mira Mesa to finance the cost of the public facilities projects identified in the Mira
Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2016
(Financing Plan), a copy of which on file in the Office of the City Clerk as Document No.
RR- <u>310559</u>; and

WHEREAS, on JUN 21 2016, the Council adopted Resolution No. R-<u>310559</u> approving the Financing Plan; and

WHEREAS, by Resolution No. R-<u>**310613**</u>, the Council fixed at 10:00 a.m., or as soon thereafter as the matter may be heard, on <u>**AUG 02 2016**</u>, at the City Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California, the time and place for a public hearing to consider the designation of the area of benefit, including the public facilities projects to be financed, the extent of the facilities benefit assessment area of benefit, and the proposed facilities benefit assessments to be levied upon parcels within the designated area of benefit; and

-PAGE 1 OF 6-

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

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

WHEREAS, in following the rules and procedures of San Diego Municipal Code Chapter 6, Article 1, Division 22, the City also complies San Diego Municipal Code Chapter 14, Article 2, Division 6 and relevant state law; and

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

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

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

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

-PAGE 2 OF 6-

WHEREAS, as described in the Financing Plan, the City Council has determined that it is necessary to provide for 3% annual automatic increases for Fiscal Year 2016 and each year thereafter in the amount of facilities benefit assessments for landowners who have not paid their facilities benefit assessments without the necessity for further proceedings pursuant to San Diego Municipal Code section 61.2212 in order to reflect increases in the cost of money during the period between the imposition of the facilities benefit assessment, the payment of facilities benefit assessments, and completion of the public facilities projects; and

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

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

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

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

2. That the Financing Plan is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code section 66025, for imposition of the facilities benefit assessment fees. Specifically, it is determined and found that this documentation:

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

(R-2017-50)

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

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

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

 (i) Transportation Projects: Both residential development and nonresidential development utilize the community's transportation system, which requires various street and bridge projects, traffic signal interconnect systems, and medians.

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

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

-PAGE 4 OF 6-

(R-2017-50)

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

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

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

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

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

7. The City Clerk is authorized and directed to execute and record a Notice of Assessment in the Office of the County Recorder of the County of San Diego in accordance with the provisions of San Diego Municipal Code section 61.2209(b). 8. The Chief Financial Officer is authorized and directed to transfer, appropriate, and expend the subject facilities benefit assessment funds as necessary to ensure timely payment of all Mira Mesa public facilities projects identified in the Financing Plan.

APPROVED: JAN I. GOLDSMITH, City Attorney

By alsev Deputy City Attorney

KMH:als 07/20/2016 Or.Dept: Planning Dept. Doc. No.: 1326138

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

ELIZABETH S. MALAND

City Clerk By Deputy gity

KEVIN L. FAULCONER, Mayor

KEVIN L. FAULCONER, Mayor

18 Approved: (date)

Vetoed:

(date)

Passed by the Council of The Ca	ity of San Diego on	AUG 02 2016		, by the following vote:	
Councilmembers	Yeas	Nays	Not Present	Recused	
Sherri Lightner	.Ø				
Lorie Zapf	ď				
Todd Gloria	Ø				
Myrtle Cole	\square				
Mark Kersey	<u>D</u>				
Chris Cate	Ø	· 🔲			
Scott Sherman	D'				
David Alvarez	Ø				
Marti Emerald	\square				

Date of final passage AUG 10 2016.

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

AUTHENTICATED BY:

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

(Seal)

City Clerk of The City of San Diego, California. B Deputy 1220006

ELIZABETH S. MALAND

Office of the City Clerk, San Diego, California

Resolution Number R-310666