

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING A BASIN MAINTENANCE
AGREEMENT FOR OTAY RANCH VILLAGE 3 AND A
PORTION OF VILLAGE 4 SECTIONAL PLANNING AREA
(VILLAGE 3) BETWEEN THE CITY AND HOMEFED
VILLAGE III MASTER, LLC

WHEREAS, the Otay Ranch Village 3 North and a Portion of Village 4 Sectional Planning Area (Village 3), located at Heritage Road and Main Street was approved in December 2014 (Otay Ranch Village 3 North and a Portion of Village 4 Sectional Planning Area Plan), with 1,597 housing units, Office and Industrial uses, Community Purpose Facilities, Open Space and Preserve, a Neighborhood Park and a School site on approximately 436 acres of land. Today the land is owned by HomeFed Village III Master, LLC (Applicant or Developer), and the Applicant is proposing amendments to the approved Sectional Planning Area (SPA) Plan and related planning documents, as well as a new Tentative Map, in order to reconfigure lots, realign streets and modify land uses to make the project more marketable (the "Project"); and

WHEREAS, this Agreement concerns and affects certain improvements in and around a portion of the real property located in Village 3 being previously subject of City Council Resolution Nos. 2014-233, 2014-234 and 2014-237 ("City Resolutions"); and

WHEREAS, the City and the Developer will enter into the Basin Maintenance Agreement for Village 3 in order to impose maintenance obligations for the storm water basins servicing Village 3. In addition, the Basin Maintenance Agreement imposes obligations upon the Developer to post security with the City to ensure continued maintenance of the basins. The Developer will initially have responsibility for the maintenance obligations and the security posting obligations; however, these obligations will ultimately be transferred to the Village 3 Community or Homeowners Association.

WHEREAS, the Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity was adequately covered in previously certified Final Environmental Impact Report for the Otay Ranch University Villages Project - (FEIR 13-01).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby approves the Basin Maintenance Agreement for the Otay Ranch Village 3 and a Portion of Village 4 Sectional Planning Area between the City and Homefed Village III Master, LLC, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk, and authorizes and directs the Mayor to execute same.

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Presented by:

Approved as to form by:

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney