

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA APPROVING THE FORM OF THE RE-  
ASSIGNMENT OF THE MASTER DEVELOPER ON THE  
MILLENIA PROJECT PER THE CITY COUNCIL APPROVED  
DEVELOPMENT AGREEMENT.

WHEREAS, the City of Chula Vista (the “City”), is a chartered City organized and existing under the laws of the State of California; and

WHEREAS the property which is the subject matter of this resolution is identified in the Development Agreement on file in the Office of the City Clerk and commonly known as Otay Ranch Eastern Urban Center Property (Millenia Project); and

WHEREAS the Project relied in part on the original Otay Ranch General Development Plan Program Environmental Impact Report 90-01 and the Otay Ranch Eastern Urban Center SPA Plan Second-Tier Final Environmental Impact Report (EIR 07-01) and subsequent Addendum (IS 13-001) the candidate California Environmental Quality Act (CEQA) Findings and Mitigation Monitoring and Reporting Program; and

WHEREAS on June 10, 2014 a duly noticed hearing was scheduled before the City Council of the City of Chula Vista to consider approving the re-assignment of the Master Developer to AC Millenia Chula Vista Owner, L.P. (Ambient Communities, L.L.C. and Walton Street Capital, L.L.C.); and

WHEREAS the joint venture’s name, AC Millenia Chula Vista Owner, L.P. may change prior to deed recordation but the partners will remain the same; and

WHEREAS approval of the re-assignment of the Master Developer under the Development Agreement is not a project as defined under Section 15378(b)(5) of the CEQA Guidelines because these actions involve only an organizational or administrative activity of government that will not result in a direct or indirect physical change in the environmental; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it does hereby approve the form of the re-assignment of the Master Developer role to AC Millenia Chula Vista Owner, L.P. (Ambient Communities, L.L.C. and Walton Street Capital, L.L.C.)

BE IT FURTHER RESOLVED that the City Council of the City of Chula does hereby authorize and recommend that the Development Services Director execute this re-assignment agreement contingent upon the purchase by the new entity and any subsequent re-assignments of the Master Developer under the Development Agreement in the future.

Presented by

Approved as to form by

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Kelly G. Broughton, FASLA  
Director of Development Services

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Glen R. Googins  
City Attorney