

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A REIMBURSEMENT AGREEMENT WITH BODEGA LATINA CORPORATION, DBA, EL SUPER FOR PUBLIC SEWER INFRASTRUCTURE THROUGH THE PALOMAR GATEWAY SHOPPING CENTER

WHEREAS, per City Council Resolution No. 2012-118, the City of Chula Vista entered a Memoranda of Understanding (MOU) with SANDAG for the purpose of preparing an environmental document that will consider project alternatives for grade-separating the Blue Line Light Rail Trolley crossing at Palomar Street and commensurate improvements; and

WHEREAS, the project report has have been completed and presented for adoption by City Council on January 28, 2020; and

WHEREAS, several design alternatives were evaluated by the project team of Chula Vista, SANDAG, and the railroad consultant HNTB; and

WHEREAS, the preferred project alternative, will keep the railroad tracks and Industrial Blvd at their current grade elevation and lower Palomar Street to pass under the railroad corridor and Industrial Blvd. This alternative will construct a railroad/pedestrian bridge and roadway/sidewalk bridge; and

WHEREAS, as the rail grade separation project report was progressing, the applicant for the 4.76-acre vacant parcel at the southwest corner of Palomar Street/Industrial Blvd submitted plans for a neighborhood shopping center; and

WHEREAS, the developer of the shopping center worked closely with project team coordinating their design and building setbacks to complement the grade separations and facilitate construction of each project independently; and

WHEREAS, the developer and project team collaborated on the public sewer main currently located on Palomar Street along the frontage of the proposed Palomar Gateway Shopping Center. This sewer main must be relocated through the shopping center parking lot since Palomar Street will be lowered rendering the current gravity sewer system useless; and

WHEREAS, a public sewer reimbursement agreement that will compensate the shopping center developer for the expenses incurred in relocating the public sewer has been prepared; and

WHEREAS, the total costs for eligible reimbursement expenses from the Sewer Service Revenue Fund (414) are subject to approval by the City Engineer and are estimated at less than \$150,000; and

WHEREAS, the Planning Commission, at the meeting held on November 13, 2019, approved the Design Review Permit for the Palomar Gateway Shopping Center.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the City of Chula Vista Reimbursement Agreement with Bodega Latina Corporation d/b/a El Super to Construct Public Sewer Improvements, in the form presented, with such modifications as may be required or approved by the City Attorney, and authorizes and directs the City Manager or designee to execute the same, a copy of which shall be kept on file in the Office of the City Clerk.

Presented by

Approved as to form by

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William S. Valle  
Director of Engineering &  
Capital Projects

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Glen R. Googins  
City Attorney