

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF UNDERSTANDING WITH THE CITY OF
SAN DIEGO, CITY OF CHULA VISTA, AND TRI POINTE
HOMES REGARDING THE DEVELOPMENT AND FUTURE
ANNEXATION OF THE NAKANO PROPERTY

WHEREAS, the Nakano property is an unimproved 23.8-acre parcel located in the City of Chula Vista, south of the Otay River, east of Interstate 805, and adjacent to the jurisdictional boundary between the City of Chula Vista and the City of San Diego (the “Property”); and

WHEREAS, Tri Pointe Homes desires to develop the Property with multifamily residential units; and

WHEREAS, the Property is located within the City of Chula Vista, but does not have direct access to City of Chula Vista utilities and services; and

WHEREAS, development of the Property will necessitate services to be provided by the City of San Diego; and

WHEREAS, the development of the Property requires “reorganization” of the Property from the City of Chula Vista to the City of San Diego, which will entail a sphere of influence boundary amendment and resolutions from both cities necessary to initiate an application with the San Diego Local Agency Formation Commission (LAFCO) to amend the City of San Diego’s and the City of Chula Vista’s sphere of influence boundaries and ultimately detach the Property from the City of Chula Vista and annex the Property to the City of San Diego; and

WHEREAS, the Memorandum of Understanding (MOU) is an agreement to meet and confer on the orderly development of the Property; and

WHEREAS, the MOU provides the parties will: (1) allow for an open exchange of information regarding the Property and the proposed project; (2) attempt to reach an agreement on all items of mutual concern regarding the proposed project; (3) work together to determine whether and when more formal implementing agreements are necessary and work together on the terms; (4) coordinate plans, studies, and environmental document preparation and review; (5) address design and impacts to public facilities, including (but not limited to) streets and parks, and agree to work together on a plan to provide services, which will be provided to LAFCO; and (6) agree that the project shall be entitled in the City of Chula Vista prior to annexation into the City of San Diego; and

WHEREAS, the MOU provides that the proposed project shall be entitled in the City of Chula Vista prior to annexation into the City of San Diego and that the City of Chula Vista will be the lead agency for review under the California Environmental Quality Act, with the City of San Diego as responsible agency, as defined in Public Resources Code sections 21067 and 21069, respectively; and

WHEREAS, the MOU does not commit the City of Chula Vista to the project, or to any definite course of action and reserves the City of Chula Vista’s right to exercise its full discretion

as to all matters which it is, by law, entitled or required to exercise its discretion relative to the project individually and collectively.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby approves the Memorandum of Understanding for the Nakano property, between the City of Chula Vista, the City of San Diego and Tri Pointe Homes, 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 City Manager to execute the same.

Presented by:

Approved as to form by:

Tiffany Allen
Director of Development Services

Glen R. Googins
City Attorney