

**RESOLUTION NO. \_\_\_\_\_ (2022 SERIES)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, APPROVING A REIMBURSEMENT AGREEMENT WITH CONNECT SLO PARTNERS, LLC, FROM TRANSPORTATION DEVELOPMENT IMPACT FEES**

**WHEREAS**, as conditions of the construction of Connect SLO Partner's (the "Developer") mixed-used project located at 3110 Duncan Lane (previously 950 Orcutt), known as The Connect (ARCH-1196-2017), required Traffic Signal Installation at the intersection of Duncan Road, Orcutt Road and Sacramento Drive (the "Public Improvements"); and

**WHEREAS**, these Public Improvements will also benefit properties other than those owned by the Developer; and

**WHEREAS**, Section 16.20.110 of the City of San Luis Obispo Municipal Code provides that whenever improvements are required to be installed adjacent to property other than that being developed or in greater size or capacity than that required for the development, the developer of the improvements may be eligible for reimbursement upon the satisfaction of certain conditions; and

**WHEREAS**, the costs associated with the Public Improvements are captured within the current Transportation Impact Fee program; and

**WHEREAS**, the Developer has paid all applicable Citywide Transportation Impact Fees and direct costs associated with design and construction of the Public Improvements; and

**WHEREAS**, the Developer has not been fully reimbursed for eligible costs in the form of Transportation Impact Fee credits from the City related to the installation of the Public Improvements; and

**WHEREAS**, the City has approved the Developer's installation of these Public Improvements per plans approved by the City Engineer; and

**WHEREAS**, the Developer has submitted a reimbursement application and a certified statement showing the actual cost of the Public Improvements to the satisfaction of the City Engineer and Infrastructure Financing Analyst, incorporated by reference to the Reimbursement Agreement, attached hereto as Exhibit A; and

**WHEREAS**, the Developer has substantiated their claim in the amount of \$312,156.08 for costs related to the construction of the Public Improvements that exceed the Developer's fair share as confirmed by the City Engineer.

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**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of San Luis Obispo as follows/or that:

**SECTION 1.** The Reimbursement Agreement is hereby approved, and the Mayor is authorized to approve minor administrative revisions and execute said Agreement on behalf of the City.

**SECTION 2.** The Finance Director is authorized to administer and implement the "Reimbursement Agreement" as provided therein.

**SECTION 3.** The Mayor and City staff are authorized to take action necessary to carry out the intent of this Resolution

**SECTION 4.** Environmental Review. Construction and installation of the traffic signal at the intersection of Duncan Road, Orcutt Road and Sacramento Drive was reviewed as part of The Connect project approval (ARCH-1196-2017), certified by the Architectural Review Commission on September 17, 2018 in which the City found that the project was categorically exempt from the provisions of the California Environmental Quality Act (CEQA) because it consists of the redevelopment of the project site consistent with policies and standards applicable to development within a General Retail area, on a site less than five acres on size, with no value as habitat for endangered, rare, or threatened species, as describe in State CEQA Guidelines Section 15332 (Infill Development).

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and on the following roll call vote:

AYES:

NOES:

ABSENT:

The foregoing resolution was adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Mayor Erica A. Stewart

ATTEST:

\_\_\_\_\_  
Teresa Purrington  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Christine Dietrick  
City Attorney

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on \_\_\_\_\_.

\_\_\_\_\_  
Teresa Purrington  
City Clerk

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