

(R-82-1962)

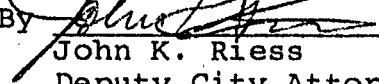
RESOLUTION NUMBER R- 256451

Adopted on MAY 25 1982

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That this City Council hereby adopts the recommendations of the City Manager as stated in his Manager's Report, Report No. 82-159, dated April 13, 1982 regarding Special Maintenance District - La Jolla Landscaping and Maintenance, a copy of which is attached hereto.

APPROVED: John W. Witt, City Attorney

By   
John K. Riess  
Deputy City Attorney

JKR:smm  
5/12/82  
Or.Dept:Rules  
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The City of San Diego

# MANAGER'S REPORT

REPORT ISSUED: April 23, 1982

REPORT NO. 82-159

ATTENTION: Rules Committee, Agenda of May 3, 1982

SUBJECT: Special Maintenance District -- La Jolla  
Landscaping and Maintenance

## SUMMARY

Issue - Should legislation be developed to allow a community within the City to vote on the establishment of a special maintenance district charge?

### Manager's Recommendations:

- 1) Approve in concept such a maintenance district for voter consideration; and
- 2) Direct the preparation of the necessary legislation

Other Recommendations - Various groups within the community of La Jolla have considered this concept and recommend that the City pursue such an approach.

Fiscal Impact - The total fiscal impact of this approach is not known at this time; however, it is understood that the estimated cost of such a vote within the confines of La Jolla might be in the order of \$5,000. Should the district proceed, it could be covered by the charge; however, should the district fail, the community group has indicated a willingness to bear this cost.

## BACKGROUND

Over the past year or so, a number of discussions have been held regarding the formation of a landscape improvement and maintenance district for the La Jolla community. The La Jolla community is defined as that area covered by the La Jolla Community Plan and La Jolla Shores Precise Plan. These discussions have occurred among various recognized groups in La Jolla and with City staff. A number of landscaping improvements have been identified which

R- 256451

00532

would implement both the La Jolla and La Jolla Shores Plan objectives as well as the local Coastal Plan currently under consideration. It is estimated that these various improvements may be in the range of \$1 million in 1982 dollars with an annual maintenance cost eventually reaching the order of \$200,000 to \$300,000.

Several alternative assessment district approaches have been considered which could provide for the above installation and maintenance. The difficulty faced in each of the conventional assessment procedures is the determination of "local benefits," as the majority of improvements are on major streets. As the primary benefit of the major street landscaping is to the general area, it is suggested that the cost should be allocated uniformly among all the properties within the community and not localized as in the case of special benefits normally found within an assessment district. This, in turn, suggests that the charge to the individual properties would be more in line with a special tax, thus coming under the provisions of the State Constitution Section C (Proposition 13). Under this section, the creation of such a charge would require the support of two-thirds of the voters within the area affected.

The La Jolla Landscape Committee which represents the La Jolla Shores Association, La Jollans, Inc., and the La Jolla Town Council have discussed the concept of a uniform fee and a vote within the La Jolla community with not only their organizations but various other organizations within the community. It appears, based upon this series of discussions, that if the landscape improvement and maintenance ballot proposition is properly formulated, the measure could be successful.

It appears that the simplest and most readily explainable approach would be to place a uniform charge on all ownerships within the community of La Jolla. Funds derived in the earlier years could be utilized for construction and maintenance. Once the entire project was completed, the funds could then be used for the maintenance only. The charge might be limited to \$15 to \$20 per parcel per year. Since there are 15,000 to 20,000 parcels in La Jolla, annual revenues would be in the range of \$300,000 to \$400,000. Some of the funding in the early years could be set aside to cover the longterm maintenance costs which will rise with inflation. The details of the total funding mechanism would be developed prior to the public hearing leading to the ballot proposition. The landscaping program to be followed each year would be jointly agreed upon by City and community, the La Jolla Town Council being the lead community organization.

The total concept of the special maintenance district is outlined as follows:

Step 1: Council consideration of the concept and, if acceptable, direction to the Manager and Attorney to proceed with the necessary actions.

00533

- Step 2: Staff to develop necessary ordinance and support policies.
- Step 3: Staff to develop the program description and cost data.
- Step 4: Public hearing to consider the ordinance and community input regarding the program description, its cost, and the ballot measure in November, 1982. Community support would be evidenced by the community's willingness to finance the election costs should the district fail.

Respectfully submitted,



John P. Fowler  
Deputy City Manager

Fowler

00534

R- 256451

MAY 25 1982

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Marjorie G. Pontecorvo*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 256451 Adopted MAY 25 1982