

(R-86-1998)

RESOLUTION NUMBER R- 265684

ADOPTED ON MAY 12 1986

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING ITS INTENTION TO DESIGNATE AN AREA OF BENEFIT IN PENASQUITOS EAST AND SETTING THE TIME AND PLACE FOR HOLDING A PUBLIC HEARING THEREON.

WHEREAS, the Council of The City of San Diego ("Council") in Resolution No. R-253293 stated its intention to initiate proceedings for the designation of a facilities benefit assessment area of benefit in Penasquitos East pursuant to Ordinance No. O-15318 (New Series) of the Council ("Ordinance") which area of benefit will specially benefit from the acquisition, improvement and construction of certain public improvements more particularly described in Part 1 of the Report referred to in these recitals ("Public Facilities Financing Plan"); and

WHEREAS, the Council in Section 2. of Resolution No. R-253293 directed the City Manager with the assistance of appropriate City agencies and interested landowners to make and file with the City Clerk a Report pursuant to Section 61.2203 of the Ordinance; and

WHEREAS, the City Manager with the assistance of the City Engineering and Development Department made and filed with the City Clerk the Report referred to in Section 2. of Resolution No. R-253293 entitled the "Penasquitos East Public Facilities Financing Plan and Facilities Benefit Assessment, April, 1986" (the "Report"); and

WHEREAS, the Council has examined and considered the Report, including the community financing plan and capital improvement program with respect to the proposed public facilities projects; the proposed boundaries of the facilities benefit assessment area of benefit; the general description of the public facilities projects; the estimated costs for the construction of said public facilities projects; the method pursuant to which the costs are to be apportioned among the parcels within the area of benefit and the amount of the facilities benefit assessments which will be charged to each such parcel; the basis and methodology by which automatic annual increases in the facilities benefit assessment will be computed, assessed and levied pursuant to Section 61.2212 of the Ordinance; and the amount of the contribution or advance which the City or other public entity will make toward the total cost of the public facilities projects; NOW, THEREFORE,

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

Section 1. The Council hereby declares its intention to designate an area of benefit within Penasquitos East to finance the cost of the public facilities projects pursuant to the Ordinance.

Section 2. The Council is satisfied with the correctness of the Report, including, without limitation, the community finance plan and capital improvement program with respect to said public facilities projects; the proposed boundaries of the facilities benefit assessment area of benefit; the description of the public

facilities projects, the estimated costs for the construction of the public facilities projects; the method pursuant to which the costs are to be apportioned among the parcels within the facilities benefit assessment area of benefit, and the amount of the facilities benefit assessments which will be charged to each such parcel; the basis and methodology by which automatic increases in the facilities benefit assessments will be computed, assessed and levied pursuant to Section 61.2212 of the Ordinance; and the amount of the contribution or advance which the City or other public entity will make toward the total cost of the public facilities projects. The Council does hereby confirm and approve the Report.

Section 3. The public facilities projects will be undertaken and completed as described in the Report.

Section 4. The community financing plan and capital improvement program with respect to the public facilities projects will be as set forth in the Report.

Section 5. The boundaries of the facilities benefit assessment area of benefit will be as set forth in the Report.

Section 6. The method pursuant to which the cost of the public facilities project is to be apportioned among the parcels within the facilities benefit assessment area of benefit and the amount of the facilities benefit assessments which will be charged to each such parcel will be as set forth in the Report.

Section 7. The Council hereby determines it necessary to provide for automatic increases in the amount of facilities benefit assessments for landowners who have not paid their

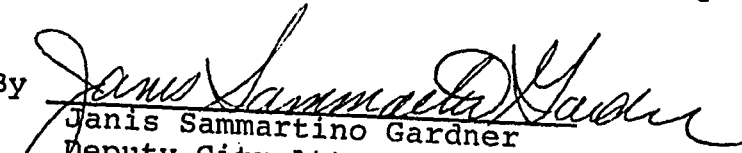
facilities benefit assessments without the necessity for further proceeding pursuant to Section 61.2212 of the Ordinance in order to reflect increases in the cost of money during the period between the imposition of the facilities benefit assessment, the payment of facilities benefit assessments and completion of the public facilities projects. The Council further determines that the basis and methodology for computing such increases set forth in the Report is reasonable and appropriate in order to provide an equitable distribution of the cost of the public facilities projects to community developers and the ultimate purchasers of developed properties.

Section 8. The amount of contribution or advance which the City or other public entity will make toward the total cost of the public facilities project will be as set forth in the Report.

Section 9. The Council shall hold a public hearing to consider the designation of the facilities benefit assessment area of benefit as proposed in this Resolution at 10:00 a.m. on the 17th day of June, 1986, at the Council Chambers, 202 C Street, San Diego, California.

Section 10. The City Clerk is hereby authorized and directed to give notice of the public hearing described in Section 9 hereof by publishing this Resolution in the "San Diego Daily Transcript" at least two weeks before the date set forth herein and by mailing copies of this resolution to each owner of property located within the proposed area of benefit at the addresses shown on the last equalized property tax assessment roll, or as otherwise known to the City Clerk pursuant to Section 61.2205 of the Ordinance.

APPROVED: John W. Witt, City Attorney

By 
Janis Sammartino Gardner
Deputy City Attorney

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Or.Dept:E&D
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MAY 12 1986

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California .

By *Barbara Carter* , Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-265684* Adopted *MAY 12 1986*

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