

(R-88-558)

RESOLUTION NUMBER R- 269747

ADOPTED ON NOV 17 1987

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CONDUCTING THE ANNUAL REVIEW HEARING FOR THE TIERRASANTA PUBLIC FACILITIES BENEFIT ASSESSMENT DISTRICT.

WHEREAS, the Council of The City of San Diego has by its Resolution No. ~~R-269424~~ declared its intention to continue the designation of the Tierrasanta Facilities Benefit Assessment District area, under the provisions of Ordinance No. O-15318 of the City (hereinafter referred to as "Ordinance"), and to conduct the annual review hearing for the Tierrasanta Facilities Benefit Assessment area, pursuant to San Diego Municipal Code Section 61.2200, et seq.; and

WHEREAS, by Resolution No. R- 269425, this Council has approved a report prepared by the Engineering and Development Department entitled, "Tierrasanta Public Facilities Financing Plan and Facilities Benefit Assessment, October 1987" (hereinafter referred to as "Report"); and

WHEREAS, in Resolution No. R- 269424, this Council fixed November 17, 1987, at the hour of 10:00 a.m., in the Council Chambers, 202 C Street, San Diego, California, as the time and place of the annual review hearing on the public facilities projects proposed for construction in said Report and the proposed facilities benefit assessments to be levied upon parcels within said area of benefit; and

WHEREAS, the City Clerk has given the notices of the passage of the Resolution of Intention, Resolution No. R- 269424, and of the time and place and purpose of said hearing, all as required by San Diego Municipal Code Section 61.2205; and

WHEREAS, said City Clerk has filed with this Council an affidavit setting forth the time and manner of the compliance with the requirements of the Ordinance for publishing and mailing of said notices; and

WHEREAS, at the time and place stated in said notices, the annual review hearing was duly held by this Council; and during the course of said hearing, the Report was duly presented and considered, and all written protests and objections received, if any, were duly presented, read, heard and considered and all persons appearing at said hearing and desiring to be heard in the matter of the Report were heard; and a full, fair and complete hearing has been had; and

WHEREAS, this Council has examined and considered the community financing plan and capital improvement program with respect to the proposed public facilities projects; the description of the public facilities projects; the estimated costs for the construction of said public facilities projects and the method pursuant to which the costs are to be apportioned among the parcels within said area of benefit; the amount of the facilities benefit assessments which will be charged to each such parcel; the basis and methodology upon which automatic annual increases in facilities benefit assessments will be computed, assessed and levied, without the necessity for further

proceeding; the amount of the contribution or advance which the City or other public entity will make toward the total cost, all as proposed in the Report, Resolution No. R- 269425, and the proceedings prior thereto, and the evidence presented at said hearing; NOW THEREFORE,

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

1. Said hearing has been duly held, and each and every step in the proceedings prior to and including the hearing has been duly and regularly taken. This Council is satisfied with the correctness of the Report, including the revised community financing plan and revised capital improvement program with respect to the public facilities projects; the description of the public facilities projects; and the method pursuant to which the costs are to be apportioned among the parcels within said area of benefit; the amount of the facilities benefit assessments which will be charged to each such parcel; and the amount of the contribution or advance which the City or other public entity will make toward the cost. This Council does hereby confirm the proceedings and said Report.

2. This Council orders the proposed public facilities projects to be undertaken and completed as described in the Report and these proceedings.

3. This Council does hereby confirm and approve the community financing plan and capital improvement program with respect to said public facilities projects as set forth in the Report.

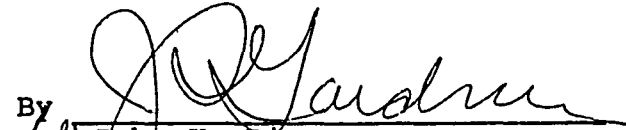
4. This Council does hereby confirm and approve of the method pursuant to which the costs of the public facilities projects are to be apportioned among the parcels within said area of benefit as set forth in the Report and confirms and fixes the amount of the facilities benefit assessments which will be charged to each such parcel to be the amounts shown in the Report subject to automatic annual increases.

5. This Council does hereby confirm and fix the amount of the contribution or advance which the City will make toward the total cost to be the amount shown in the Report; i.e., \$195,000.00, not including federal and urban contributions.

6. The City Clerk is authorized and directed to execute and record a Notice of Assessment in the Office of the County Recorder of the County of San Diego in accordance with the provisions of Section 61.2209(b) of the Ordinance.

7. All protests and objections received, if any, were duly presented, read, heard and considered by the Council. All persons appearing at the hearing and desiring to be heard in the matter were heard. Any and all protests, objections or appeals are hereby overruled and denied.

APPROVED: John W. Witt, City Attorney

By 
John K. Riess
Deputy City Attorney

JKR:wk
09/18/87
Or.Dept:E&D
R-88-558
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NOV 17 1987

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

| Council Members | 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"/> |
| District 4 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> VACANT |
| Ed Struikma | <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"/> |
| Celia Ballesteros | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

Jana Martin
By....., Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-269747 Adopted NOV 17 1987