

(R-88-934)

RESOLUTION NUMBER R- 270236

ADOPTED ON JAN 25 1988

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 desires 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 City Manager with the assistance of the City Engineering and Development Department has made and filed with the City Clerk a Report entitled the "Penasquitos East Public Facilities Financing Plan and Facilities Benefit Assessment, October, 1987" (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

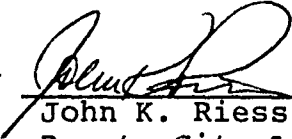
the basis and methodology for computing such increases set forth in the Report is reasonable and appropriate in order to provide an equitable distribution of the cost of the public facilities projects to community developers and the ultimate purchasers of developed properties.

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 2:00 p.m. on the 23rd day of February, 1988, 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 

John K. Riess
Deputy City Attorney

JKR:wk:600.2
11/03/87
Or.Dept:E&D
R-88-934
Form=r.fbade

JAN 25 1988

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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Shanda B. Barnes* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number A-270236 Adopted JAN 25 1988

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE

1988 FEB 12 AM 11:23

SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: RHONDA R. BARNES

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IN THE MATTER OF
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.

NO.

RESOLUTION NUMBER R-270236

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 desires to initiate proceedings for the designation of a facilities benefit assessment area of benefit in Penasquitos East pursuant to Ordinance No. O-15313 (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 City Manager with the assistance of the City Engineering and Development Department has made and filed with the City Clerk a Report entitled the "Penasquitos East Public Facilities Financing Plan and Facilities Benefit Assessment, October, 1987" (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 advances 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.

I, THOMAS D. KELJEHER, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

RESOLUTION NUMBER R-270236

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

FEB. 9, 10

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 10 day of FEB., 1988.

Thomas D. Keljeher

(Signature)

110 lines @ .98 = 420.20

9 7/8 x 2 @ 10.78 = 425.80

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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 of 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 2:00 p.m. on the 23rd day of February, 1980, 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.

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

by the following vote:

YEAS: Wolfshelmer, Roberts, McCall, Pratt, Henderson, McCarty, Finer.

NAYS: None.

NOT PRESENT: Struikema.

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By: RHONDA R. BARNES, Deputy
Pub. February 9, 10 99090

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