

RESOLUTION NUMBER R- 2 8 2 3 6 4

ADOPTED ON JUL 13 1993

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

WHEREAS, the Council of The City of San Diego ("Council") desires to initiate proceedings for the designation of a facilities benefit assessment area of benefit in Rancho Penasquitos 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 made and filed with the City Clerk the Report entitled the "Rancho Penasquitos Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 1994 - March 1993, Revised June 1993" (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:

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

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.

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

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

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

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.

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.

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.

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 AM on the 3rd day of August, 1993 at the Council Chambers, 202 C Street, San Diego, California.

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

CORRECTED 07/07/93

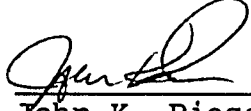
RECEIVED  
CITY OF SAN DIEGO  
93 JUL -8 AM 8:35  
SAN DIEGO, CALIF.

*ab*

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:pev  
03/11/93  
06/23/93 COR.COPY  
Or.Dept:E&D  
R-93-1453  
Form=r.fbadee

4/12

Passed and adopted by the Council of The City of San Diego on JUL 13 1993  
by the following vote:

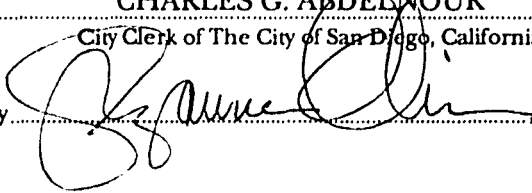
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING  
Mayor of The City of San Diego, California.

(Seal)

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

By  Deputy.

Office of the City Clerk, San Diego, California

Resolution 282364 Adopted JUL 13 1993  
Number.....





CERTIFICATE OF PUBLICATION

93 JUL 19 11:13:50

SAN DIEGO, CALIF. 93

OFFICE OF THE CITY CLERK  
CITY ADM. BLDG.  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

RESOLUTION OF THE COUNCIL OF THE CITY...

RESOLUTION NUMBER R-282364

ADOPTED ON JUL 13 1993

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

WHEREAS, the Council of The City of San Diego ("Council") desires to initiate proceedings for the designation of a facilities benefit assessment area of benefit in Rancho Penasquitos pursuant to Ordinance No. 0-15318 (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 made and filed with the City Clerk the Report entitled the "Rancho Penasquitos Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 1994 - March 1993, Revised June 1993" (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 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; NOW, THEREFORE,

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

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

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.

I, Corey Donahue, 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-282364

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:

JULY 16

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

Dated at San Diego, California this 16th day of JULY, 19 93.

*Corey Donahue*  
\_\_\_\_\_  
(Signature)

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9 1/2" x 2 = \$261.12

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

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

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

6. The method pursuant to which the cost of the public facilities projects 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.

7. The Council hereby determines it necessary to provide for automatic increases in the amount 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.

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.

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 AM on the 3rd day of August, 1993 at the Council Chambers, 302 G Street, San Diego, California.

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

Passed and adopted by the Council of The City of San Diego on JUL 13 1993 by the following vote:  
YEAS: Wolfshaimer, Roberts, Hartley, Stevens, Behr,  
Stallings, McCarty, Vargas, Mayor Golding.  
NAYS: None.  
NOT PRESENT: None.

AUTHENTICATED BY:  
SUSAN GOLDING  
Mayor of The City of San Diego, California  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California

(SEAL) By: SUZANNE OLIVA, Deputy

ENC. 100-18 17857

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