

RESOLUTION NUMBER R-286124

ADOPTED ON JULY 18, 1995

RESOLUTION CONSIDERING THE PROTESTS,
APPROVING MODIFIED MAP, CONFIRMING THE
ASSESSMENTS, AND ORDERING THE PROPOSED
MAINTENANCE, IN THE MATTER OF THE WASHINGTON
STREET LANDSCAPE MAINTENANCE DISTRICT.

WHEREAS, the notice of the time and place fixed for the hearing of protests in the matter of "Washington Street Landscape Maintenance District," under Resolution of Intention No. R-285814, adopted on May 22, 1995, having been duly given in the manner required by law and the legal time for filing such protests and the time fixed for hearing thereon having passed; NOW, THEREFORE,

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

1. The protests, if any, are overruled.
2. The assessments described in Document No. RR-285815, on file in the office of the City Clerk and on file in the office of the Street Superintendent, are hereby confirmed and approved.
3. The modified assessment district map for the "Washington Street Landscape Maintenance District," described in Document No. M-353-1 is hereby approved.
4. The maintenance described in said Resolution of Intention is hereby ordered performed.
5. The City Council hereby expresses its intention that this assessment and the assessments for the next five years be

capped at no more than seven dollars per equivalent dwelling unit.

6. That the reserve for the district be prudent, and funds generated from the assessment shall be used only for the agreed upon landscaping maintenance, and that should fees be insufficient to maintain the agreed upon level of service that the accumulated reserves be used to maintain the level of service.

7. That the City Manager be and he is hereby directed to engage in discussions with the Mission Hills Business Improvement District to determine if they are interested in taking over the management of this district.


8. That the Business Improvement District be and it is hereby requested to establish an oversight committee regarding the assessment District, which committee if formed shall include community representatives who are opposed to the assessment district.

9. The City Manager is directed to review the policy which counts non-responses to the request for protestants as those in support.

10. That in the event the district has a surplus, the excess surplus funds shall be used to reduce assessments.

11. The City Manager is hereby directed to revise the Engineer's Report for this District to conform with the Council's actions.

APPROVED: JOHN W. WITT, City Attorney

By  _____
John K. Riess
Senior Deputy City Attorney

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