

RESOLUTION NUMBER R- 290069

ADOPTED ON MAY 11 1998

RESOLUTION OF INTENTION TO LEVY AND COLLECT  
1999 ANNUAL ASSESSMENTS ON CARMEL VALLEY  
LANDSCAPE MAINTENANCE DISTRICT.

BE IT RESOLVED, by the Council of The City of San Diego, that this Council proposes and intends to levy and collect assessments to pay a prescribed portion of the cost of future maintenance of all trees, plants, etc., planted or placed within the open space areas as designated, located within the boundaries of the Carmel Valley Landscape Maintenance District (the "District"), in said City under the provisions of Article XIII D section 4 of the California Constitution and Sections 53739, 53750, 53753, 53753.5, and 54954.6 of the California Government Code (collectively referred to herein as the "Law"). Such maintenance being more particularly described as follows:

Section 1

DESCRIPTION OF AUTHORIZED ACTIVITIES

The proposed maintenance consists in general of those items described in Exhibit "A," attached hereto.

The maintenance shall be for a period of one year, terminating on June 30, 1999.

Section 2

DESCRIPTION OF MAINTENANCE DISTRICT

The District is described as follows:

All that real property in said City of San Diego included within the exterior boundary lines of the map designated as the District, filed in the office of the City Clerk under Document No.

M-393-99-1, excepting therefrom all public streets, roads, alleys, avenues and highways. Reference is hereby made to the map for a further and more particular description of the District, so on file, shall govern for all details as to the extent of the District.

Section 3

ASSESSMENT OF COST AND EXPENSE

The maintenance and expense of the contemplated maintenance are made chargeable upon the District, and the Council does declare that certain properties within the District receive special benefit by the maintenance.

The City Council proposes to assess those properties within the District which receive a special benefit from the maintenance for the total amount of maintenance costs of the District, plus the incidental expenses thereto, less a City contribution of \$45,105 representing general benefits and the special benefits to public parcels (\$24,545 from the Gas Tax Fund for the maintenance of medians and \$11,800 from the Environmental Growth Fund for open space maintenance), to be received by the individual parcels of real property within the District.

The Council may order a portion of the costs of maintenance to be paid by the City from appropriate funds.

**FUND**

<b><u>DESCRIPTION</u></b>	<b><u>OPERATIONS</u></b>	<b><u>RESERVE</u></b>	<b><u>TOTAL</u></b>
<b>BEGINNING BALANCE</b>	\$ 0.00	\$ 179,000.00	\$ 179,000.00
<b>REVENUE:</b>			
Assessments	\$ 1,044,691.00	\$ 0.00	\$ 1,044,691.00
Interest	0.00	23,100.00	23,100.00
City Contribution	<u>45,105.00</u>	<u>0.00</u>	<u>45,105.00</u>
<b>TOTAL REVENUE</b>	<b>\$ 1,089,796.00</b>	<b>\$ 23,100.00</b>	<b>\$ 1,112,896.00</b>
<b>TRANSFER</b>	<b>\$ 105,463.00</b>	<b>(\$ 105,463.00)</b>	<b>\$ 0.00</b>
<b>EXPENSE:</b>			
Personnel	\$ 115,770.00	\$ 0.00	\$ 115,770.00
Contractual	715,000.00	0.00	715,000.00
Incidental	154,389.00	0.00	154,389.00
Utilities	<u>209,400.00</u>	<u>0.00</u>	<u>209,400.00</u>
<b>TOTAL EXPENSE</b>	<b>\$ 1,195,259.00</b>	<b>\$ 0.00</b>	<b>\$ 1,195,259.00</b>
<b>ENDING BALANCE</b>	<b>\$ 0.00</b>	<b>\$ 96,637.00</b>	<b>\$ 96,637.00</b>

A statement of the proposed assessments levied against the several lots or parcels of land as shown on the map referred to in Section 2 above, is on file in the office of Financial and Technical Services Division.

Section 4

TIME AND PLACE OF HEARING

The City Clerk is hereby directed to set a date within at least 45 days after the mailing of assessment ballots. Such hearing shall be held July 21, 1998 at 10:00 a.m. in the Council Chambers of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California, is the day, hour and place for the hearing when any person interested may object to the proposed maintenance or the amount of the assessment. This hearing may be continued from time to time. Failure to make objections at the time of the hearing, or any continuance thereof, will be deemed to be a waiver of all objections and shall operate as a bar for any claim for damages. Such protest, if any, must be in writing and must

contain a description of the property in which each signer thereof is interested, sufficient to identify the same and shall be delivered to and filed with the City Clerk at a time no later than the hour set for the hearing or continuance thereof.


Persons desiring to make inquiries regarding these proceedings are hereby advised that they may contact the Acting Program Supervisor at the City Administration Building, 202 "C" Street, MS 7B, San Diego, California 92101 or telephone (619) 533-4513.

Section 5

NOTICE OF HEARING

The City Clerk is directed to cause a notice of the hearing and assessment ballots to be mailed at least forty-five (45) days before the date of the hearing, postage prepaid, to all property owners, whose names and addresses appear on the last equalized County Assessment Roll, all in the manner and form provided for in the Law.

APPROVED: CASEY GWINN, City Attorney

By   
Kelly J. Salt  
Deputy City Attorney

KJS:pev  
4/28/98  
Or.Dept.Fin.&Tech.Svcs  
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EXHIBIT A

- a. Irrigation
- b. Fertilization
- c. Removal of weeds, trash and litter
- d. Pruning of trees and shrubs
- e. Replacement of dead or diseased trees and shrubs
- f. Repair of facilities