

RESOLUTION NUMBER R- 291940

ADOPTED ON JUL 20 1999

RESOLUTION TO LEVY AND COLLECT FISCAL YEAR 2000  
ANNUAL ASSESSMENTS ON PENASQUITOS EAST  
MAINTENANCE ASSESSMENT DISTRICT.

BE IT RESOLVED, by the Council of The City of San Diego, that the Council hereby declares its intention to levy and collect assessments to pay a prescribed portion of the cost of future maintenance of the improvements, more generally described in Exhibit A (attached hereto and by this reference incorporated herein), located within the boundaries of the Penasquitos East Maintenance Assessment District (the "District"), in said City for the fiscal year 2000 pursuant to the provisions of California Streets and Highways Code sections 22500 et seq. and San Diego Municipal Code Chapter VI, Article V, Division 2 (referenced to herein as the "Law").

Section 1

DESCRIPTION OF AUTHORIZED ACTIVITIES

BE IT FURTHER RESOLVED, that the maintenance consists in general of the maintenance of those improvements described in Exhibit "A," attached hereto. A detailed description of the improvements is contained in the engineer's report (the "Report") submitted in connection with the District and filed in the Office of the City Clerk as Document No.

RR- 291941

Section 2

DESCRIPTION OF MAINTENANCE DISTRICT

BE IT FURTHER RESOLVED, that the District is described as follows:

All that real property in the 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 as Document No.

M-389-00, excepting therefrom all public streets, roads, alleys, avenues and highways.

Reference is hereby made to the map and the Report for a further and more particular description of the District, so on file. Such map and Report shall govern for all details as to the extent of the District.

Section 3

ASSESSMENT OF COST AND EXPENSE

BE IT FURTHER RESOLVED, that 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 from the maintenance of the improvements.

BE IT FURTHER RESOLVED, that the City Council shall assess those properties within the District which receive a special benefit from the maintenance for the total amount of the maintenance costs of the District, plus incidental expenses thereto, less a City contribution of \$32,728 representing general benefits and the special benefits to public parcels (\$21,203 from the Gas Tax Fund for the maintenance of medians; \$2,175 from the Environmental Growth Fund for open space and \$9350 for the maintenance of the Rancho Penasquitos Branch Library), to be received by the individual parcels of real property within the District.

BE IT FURTHER RESOLVED, that the Council may order a portion of the costs of maintenance to be paid by the City from appropriate funds. The proposed budget for the District is as follows:

<u>DESCRIPTION</u>	<u>FUND</u>		
	<u>OPERATIONS</u>	<u>RESERVE</u>	<u>TOTAL</u>
<b>BEGINNING BALANCE</b>	\$ 0.00	\$ 225,850.00	\$ 225,850.00
<b>REVENUE:</b>			
Assessments	\$ 155,097.00	\$ 0.00	\$ 155,097.00
Interest	0.00	5,400.00	5,400.00
City Contribution	<u>32,728.00</u>	<u>0.00</u>	<u>32,728.00</u>
<b>TOTAL REVENUE</b>	<b>\$ 187,825.00</b>	<b>\$ 5,400.00</b>	<b>\$ 193,225.00</b>
<b>TRANSFER</b>	\$ 6,132.00	(\$ 6,132.00)	\$ 0.00
<b>EXPENSE:</b>			
Personnel	\$ 18,252.00	\$ 0.00	\$ 18,252.00
Contractual	111,000.00	0.00	111,000.00
Incidental	44,955.00	0.00	44,955.00
Utilities	<u>19,750.00</u>	<u>0.00</u>	<u>19,750.00</u>
<b>TOTAL EXPENSE</b>	<b>\$ 193,957.00</b>	<b>\$ 0.00</b>	<b>\$ 193,957.00</b>
<b>ENDING BALANCE</b>	\$ 0.00	\$ 225,118.00	\$ 225,118.00

A statement of the 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 Park and Recreation, Northern Parks Division.

BE IT FURTHER RESOLVED, that reference is hereby made to the Report for a statement of the proposed assessments upon assessable lots and parcels of land within the District.

APPROVED: CASEY GWINN, City Attorney

By Kelly J. Salt  
Kelly J. Salt  
Deputy City Attorney

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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