

RESOLUTION NUMBER R- 295185

ADOPTED ON JUL 23 2001

RESOLUTION TO SUSPEND THE LEVY AND COLLECTION
OF FISCAL YEAR 2002 ANNUAL ASSESSMENTS ON LA
JOLLA VILLAGE DRIVE MAINTENANCE ASSESSMENT
DISTRICT.

WHEREAS, the La Jolla Village Drive Maintenance Assessment District (the "District") has accumulated a large reserve over the years ("Surplus") due to medians being turned over by developer later than originally scheduled; and

WHEREAS, Staff recommends that the property owners within the District be refunded a portion of the Surplus by suspending the assessments in fiscal year 2002 while continuing services; and

WHEREAS, suspensions of assessments will be considered annually until the Surplus is reduced; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Council hereby authorizes that the Surplus of assessments collect for the District shall be carried forward to the fiscal year 2002 annual assessments and applied as a credit against the fiscal year 2002 assessments.

BE IT FURTHER RESOLVED, that the Council hereby authorizes the suspension of the levy and collection of assessments for fiscal year 2002.

BE IT FURTHER RESOLVED, that the Council authorizes the payment of a prescribed portion of the cost of future maintenance of the improvements from the Surplus, more generally

described in Exhibit A (attached hereto and by this reference incorporated herein), located within the boundaries of the La Jolla Village Drive Maintenance Assessment District (the "District"), in the City for the fiscal year 2002 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." A detailed description of the improvements is contained in the assessment engineer's report (the "Report") submitted in connection with the District and filed in the Office of the City Clerk as Document No.

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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-397-02-1, 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.

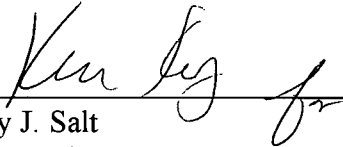
BE IT FURTHER RESOLVED, that the Council may order a portion of the costs of maintenance to be paid by the City from appropriate funds. The proposed budget for the District is as follows:

<u>DESCRIPTION</u>	<u>FUND</u>		
	<u>OPERATIONS</u>	<u>RESERVE</u>	<u>TOTAL</u>
BEGINNING BALANCE	\$ 0.00	\$ 142,361.00	\$ 142,361.00
REVENUE:			
Assessments	\$ 0.00	\$ 0.00	\$ 0.00
Interest	0.00	5,847.00	5,847.00
City Contribution	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUE	\$ 0.00	\$ 5,847.00	\$ 5,847.00
TRANSFER	\$ 41,398.00	(\$ 41,398.00)	\$ 0.00
TOTAL CASH AVAILABLE	\$ 41,398.00	\$ 106,810.00	\$ 148,208.00
EXPENSE:			
Personnel	\$ 7,462.00	\$ 0.00	\$ 7,462.00
Contractual	25,000.00	0.00	25,000.00
Incidental	6,231.00	0.00	6,231.00
Utilities	<u>2,705.00</u>	<u>0.00</u>	<u>2,705.00</u>
TOTAL EXPENSE	\$ 41,398.00	\$ 0.00	\$ 41,398.00
ENDING BALANCE	\$ 0.00	\$ 106,810.00	\$ 106,810.00

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 assessments upon assessable lots and parcels of land within the District.

APPROVED: CASEY GWINN, City Attorney

By 

Kelly J. Salt
Deputy City Attorney

KJS:pev
6/11/01
7/13/01 Cor. Copy
Or. Dept: Park&Rec.
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