

RESOLUTION NUMBER R- 301392

DATE OF FINAL PASSAGE MAY 04 2006

RESOLUTION OF INTENTION TO FORM THE BLACK MOUNTAIN RANCH NORTH MAINTENANCE ASSESSMENT DISTRICT AND TO LEVY AND COLLECT FISCAL YEAR 2007 ANNUAL ASSESSMENTS ON BLACK MOUNTAIN RANCH NORTH MAINTENANCE ASSESSMENT DISTRICT.

BE IT RESOLVED, by the Council of the City of San Diego, that the Council hereby intends to order the formation of a maintenance assessment district to be designated the Black Mountain Ranch North Maintenance Assessment District [District] pursuant to California Streets and Highways Code sections 22500 *et seq.*

BE IT FURTHER RESOLVED, that the Council proposes and intends to levy and collect assessments to pay a prescribed portion of the cost of future improvements, maintenance and/or services of those items described in the Engineer's Report for the Black Mountain Ranch North Maintenance Assessment District [Report], located within the boundaries of the District, in the City under the provisions of Article XIII D, section 4 of the California Constitution and California Government Code sections 53739, 53750, 53753, 53753.5, and 54954.6 [collectively referred to herein as the Law].

BE IT FURTHER RESOLVED, that the proposed improvements, maintenance and/or services for the District consist in general of those items described in the Report. The maintenance and/or services shall be for a period of one year, terminating on June 30, 2007.

BE IT FURTHER RESOLVED, that the District is described as all that real property in the City of San Diego included within the exterior boundary lines of the map [Map] designated as the District, filed in the office of the City Clerk under Document No. M-505, 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, and shall govern for all details as to the extent of the District.

BE IT FURTHER RESOLVED, that the cost and expense of the contemplated improvements, maintenance and/or services are made chargeable upon the District, and the Council does declare that certain properties within the District as identified in the Report receive special benefit by the proposed improvements, maintenance and/or services.

BE IT FURTHER RESOLVED, that the City Council proposes to assess those properties within the District which receive a special benefit from the proposed improvements, maintenance and/or services for the total amount of costs of such improvements, maintenance and /or services to be provided in the District, plus the incidental expenses thereto, to be received by the individual parcels of real property within the District. The estimated expenses, revenues and reserves are as follows:

<b><u>FUND</u></b>			
<b><u>DESCRIPTION</u></b>	<b><u>FY 2007</u></b>	<b><u>MAXIMUM AUTHORIZED</u></b>	
<b>EXPENSES</b>			
Maintenance	\$62,453	\$92,475	
Utilities (energy)	\$24,540	\$33,060	
Pole Replacement Program (CIP fund)	\$28,000	\$28,000	
Formation/Re-Engineering Costs	\$35,000	\$35,000	
Administration - Personnel & Incidentals	\$7,206	\$7,440	
<b>Total Expenses</b>	<b>\$157,199</b>	<b>\$195,975</b>	
<b>REVENUE</b>			
Assessments	\$191,475	\$246,045	
City Contribution (general benefit energy)	\$15,480	\$21,660	
<b>Total Revenue</b>	<b>\$206,955</b>	<b>\$267,705</b>	
<b>FUND BALANCE (Carryover, Contingency &amp; Reserve)</b>	<b>\$49,756</b>	<b>\$71,730</b>	

The Council may order a portion of the costs of improvements, maintenance and/or services to be paid by the City from appropriate funds. A statement of the proposed assessments levied against the several lots or parcels of land as shown on the map referred to above, is on file in the office of Park and Recreation, Open Space Division.

BE IT FURTHER RESOLVED, that the Report, prepared by an assessment engineer pursuant to the Law and has been duly considered by this Council, submitted in connection with the District, and filed in the office of the City Clerk as Document No. RR- 301392, be and the same is hereby preliminarily approved for purposes of this hearing.

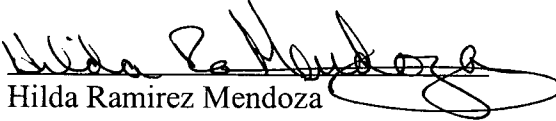
BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to set a date for a public hearing for the proposed formation of the District, and levy of assessments within at least forty-five days after the mailing of assessment ballots. Such hearing shall be held on June 27, 2006 at 2:00 p.m. in the Council Chambers of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California, and is the day, hour and place for the hearing when any person interested may object to the proposed improvements, maintenance and/or services or the proposed 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 prior to the conclusion of the public testimony on the proposed assessment at the hearing or continuance thereof. Persons desiring to make inquiries regarding these proceedings are hereby advised that they may contact the Assessment District Administrator at the World Trade Center,

1250 Sixth Avenue, Fourth Floor, MS 804A, San Diego, California 92101 or telephone (619) 533-6778.

BE IT FURTHER RESOLVED, that the City Clerk is directed to cause a notice of the hearing and assessment ballots to be mailed at least forty-five 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.

BE IT FURTHER RESOLVED, that this activity is not a project and therefore exempt from CEQA pursuant to State Guidelines Section 15060(c)(3).

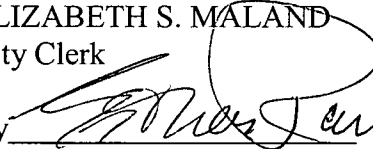
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Hilda Ramirez Mendoza  
Deputy City Attorney

HRM:cfq  
03/13/06  
Or.Dept:P&R  
R-2006-800  
MMS#3118

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 25 2006.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-04-06  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

APR 25 2006

Passed by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MAY 04 2006

Date of final passage \_\_\_\_\_

AUTHENTICATED BY:

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number *R-301392*