

RESOLUTION NUMBER R- 305074

DATE OF FINAL PASSAGE JUL 21 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO: 1) DECLARING THE INTENT TO LEVY AND COLLECT FISCAL YEAR 2010 ANNUAL ASSESSMENTS ON PREVIOUSLY ESTABLISHED MAINTENANCE ASSESSMENT DISTRICTS AND THE DOWNTOWN PROPERTY AND BUSINESS IMPROVEMENT DISTRICT; AND 2) TO AUTHORIZE THE APPROPRIATION AND EXPENDITURE OF FUNDS THEREFORE.

WHEREAS, pursuant to the Landscape and Lighting Act of 1972 (California Streets and Highways Code section 22500 *et seq.*) and the Maintenance Assessment District Ordinance, codified at San Diego Municipal Code section 65.0201, *et seq.*, an assessment engineer has prepared and submitted written reports [Engineer's Reports] on the following Maintenance Assessment Districts [MADs] regarding Fiscal Year 2010:

1. Adams Avenue Maintenance Assessment District
2. Central Commercial Maintenance Assessment District
3. City Heights Maintenance Assessment District
4. College Heights Maintenance Assessment District
5. Greater Golden Hill Maintenance Assessment District
6. Hillcrest Commercial Core Maintenance Assessment District
7. Little Italy Maintenance Assessment District
8. Newport Avenue Maintenance Assessment District; and

WHEREAS, pursuant to the Property and Business Improvement District Law of 1994 (California Streets and Highways Code section 36600 *et seq.*), a written report [PBID Report] has been prepared for the Downtown Property and Business Improvement District [Downtown PBID] regarding Fiscal Year 2010, said PBID Report together with the Engineer's Reports shall be collectively referred to as the "Reports";

WHEREAS, pursuant to Resolution number R- 305073, the City Council approved the Reports in connection with each MAD and the Downtown PBID; and

WHEREAS, the Reports are on file in the office of the City Clerk as follows:

<u>District</u>	<u>Document Number</u>
1. Adams Avenue MAD	RR- <u>305073-1</u>
2. Central Commercial MAD	RR- <u>305073-2</u>
3. City Heights MAD	RR- <u>305073-3</u>
4. College Heights MAD	RR- <u>305073-4</u>
5. Hillcrest Commercial Core MAD	RR- <u>305073-5</u>
6. Little Italy MAD	RR- <u>305073-6</u>
7. Newport Avenue MAD	RR- <u>305073-7</u>
8. Greater Golden Hill MAD	RR- <u>305073-9</u>
9. Downtown PBID	RR- <u>305073-8</u> and

WHEREAS, the general location of each district is designated by its descriptive name of the district, and is more specifically described as all that real property in the City of San Diego included within the exterior boundary lines of the assessment diagrams, excepting therefrom all public streets, roads, alleys, avenues and highways. Such assessment diagrams are included in each Report on file with the office of the City Clerk as described herein, and such diagrams and Reports shall govern for all details as to the extent of boundaries of the districts; NOW

THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council hereby authorizes the levy and collection of assessments in the self-managed Maintenance Assessment Districts and the Downtown Property and Business Improvement District to pay a prescribed portion of the costs of improvements and/or services in Fiscal Year 2010 as described in each Report for the particular district.

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BE IT FURTHER RESOLVED, that the assessment funds are generally used for improvements and services, including maintenance, that confer a special benefit upon the parcels on which the assessments are being levied, and that there are no substantial changes being proposed to the existing improvements and/or services provided in the districts.

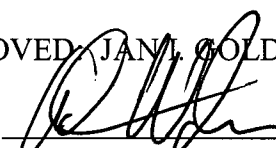
BE IT FURTHER RESOLVED, that there are no proposed increases to the assessments, other than those authorized at the time of formation, including increases based on the San Diego Consumer Price Index Urban Consumers.

BE IT FURTHER RESOLVED, that a full and detailed description of the improvements and services, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within a particular district are described in the Report submitted for that district and on file in the Office of the City Clerk as described herein.

BE IT FURTHER RESOLVED, that City staff may order a portion of the costs of maintenance for City-owned parcels, not to exceed \$338,807 to be paid by the City from appropriate funds.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend Self Managed Maintenance Assessment District and Property and Business Improvement District funds for Fiscal Year 2010 in an amount as described in the Report for each district.

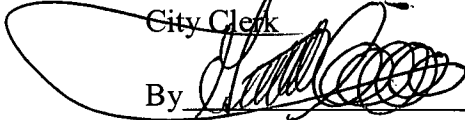
APPROVED: JANI GOLDSMITH, City Attorney

By  _____
Adam R. Wander
Deputy City Attorney

ARW:mm
06/30/09
Or.Dept:Econ.&Dev't
R-2009-1365
MMS#9770

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 13 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7.21.09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor