

RESOLUTION NUMBER R- 308453

Item # 103

DATE OF FINAL PASSAGE SEP 24 2013

9/24/13

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE RELEASE OF CASH BONDS ASSOCIATED WITH SUBDIVISION MAPS PURSUANT TO SECTION 66497 OF THE GOVERNMENT CODE.

WHEREAS, when a subdivision map is approved by the City of San Diego, the subdivider has the option to delay the setting of the property corners (monuments) until the improvements associated with the subdivision are completed; and

WHEREAS, in order to delay the setting of these monuments, the subdivider is required to post a cash bond with the City to cover the cost of setting the survey monuments at a later date; and

WHEREAS, the City of San Diego Development Services Department is currently holding monument bonds that are associated with various subdivision maps of record; and

WHEREAS, the bond holders have requested that the City release these monument bonds back to them; and

WHEREAS, Government Code Section 66497 of the Subdivision Map Act (SMA) governs how these monumentation bonds are to be released; and

WHEREAS, the SMA states that the legislative body must make the determination as to whom the monument bonds will be released to; and

WHEREAS, City staff has gathered all the documents and evidence necessary for Council to determine whom the bonds should be released to; and

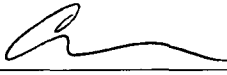
WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego as follows: the monuments for the following maps have been set to the satisfaction of the City Engineer and payment of the land surveyor or engineer has been confirmed. The City of San Diego Development Services Department is requesting that the City Council authorize the release of the bonds pursuant to section 66497 of the SMA to the associated depositors listed below:

<u>Depositor</u>	<u>Project Name</u>	<u>Map Number</u>	<u>Work Order NO.</u>	<u>Amount</u>
San Diego Revitalization Corporation	City Heights Square	19854	424828	\$5,000.00
Rick Engineering	Remington Hills unit no 4	14519	420513	\$20,000.00
Rick Engineering	Black Mountain Ranch North Village Unit No 4	15304	423411	\$20,000.00
Rick Engineering	Amended Map of Sycamore Estates Phase II unit 5	15491	422362	\$5,000.00
Rick Engineering	Black Mountain Ranch North Village Unit No 2c	15149	422287	\$9,000.00
Western Alliance	La Media Otay Mesa PM	21010	3023	\$3,000.00
Pardee Construction	Ocean View Hills Corporate Center unit no. 3	15157	410099	\$1,888.00
Shea Properties	Mercado Del Barrio	15814	24001068	4,500.00
Fuscoe	Columbia and Fir St-LLA	20819	24000834	\$1,290.00

APPROVED: JAN I. GOLDSMITH, City Attorney

By


 Corrine L. Neuffer
 Deputy City Attorney

CLN:jls
 August 7, 2013
 Or.Dept: DSD
 Doc. No. 611057

Passed by the Council of The City of San Diego on SEP 24 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 24 2013

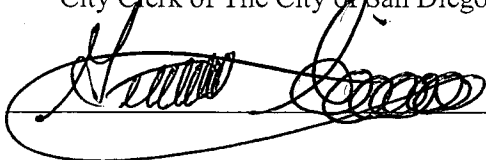
(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By  _____, Deputy

Office of the City Clerk, San Diego, California
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