

Item # 106
4/15/14

(R-2014-587)

RESOLUTION NUMBER R- 308883

DATE OF FINAL PASSAGE APR 15 2014

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,

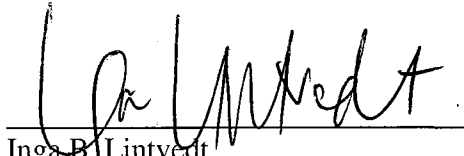
BE IT RESOLVED by the City Council of the City of San Diego that the monuments for the following maps have been set to the satisfaction of the City Engineer and payment of the land surveyor or engineer has been confirmed. Development Services is requesting that the City Council authorize the release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

<u>Deposit Date</u>	<u>Depositor</u>	<u>Project Name</u>	<u>Map Number</u>	<u>Account No. (Legacy No.)</u>	<u>PTS No.</u>	<u>Work Order NO.</u>	<u>Amount</u>
11/4/1999	Pardee Construction Co.	2nd Amended Map of Carmel Valley Neighborhood 10 unit No 2	15611	25381	127715	23950604	\$17,800.00
11/8/2010	Quarry Falls LLC	Quarry Falls (Civita) Unit A	15799		201319	24000588	\$12,240.00
2/21/2008	Pardee Homes	Carmel Valley Neighborhood 10 unit no. 2A south	15675		133224	950604	\$10,000.00
5/22/2012	Tierrasanta LLC	Tierra Santa Copperleaf	15870		243704	243704	\$5,000.00
6/13/2008	Pardee Homes	Penasquitos West	15695		146743	425102	\$17,000.00
8/9/2007	Pardee Homes	Dennery Ranch Villages 2/3	15592		115096	427040	\$10,000.00
3/30/2011	Zephyr La Jolla Investors INC Chris Dahrling	Pearl Street Townhomes	15820		160373	23431264	\$2,500.00

6/25/2007	San Diego Family Housing LLC	Cabrillo Heights Phase 4PM	20260	135967	5970	421111	\$27,286.00
4/24/2008	San Diego Family Housing LLC	Cabrillo Heights Map Phase 2	20258	135967	5124	420748	\$66,272.00
3/9/2012	Pardee Homes Karen Kosup	Pac Highlands Rch U21&22 FM/PI	15815		103481	426478	\$50,000.00
10/5/2011	La Jolla HT LLC	Resub La Jolla Commons FM	15848		140374	23428624	\$5,000.00
9/20/2012	Lenmar Homes of California INC Sandra Mcdowell Barczewski	Sandy Lane PI/G/FM	15883		282274	24002702	\$5,000.00
12/4/2007	Estimated Surety No Deposit info.	Chollas Creek Villas FM G PI	15550		84490	425290	\$4,500.00

APPROVED: JAN I. GOLDSMITH, City Attorney

By


 Inga B. Lintvedt
 Deputy City Attorney

IBL: mm
 March 24, 2014
 Or.Dept: DSD
 Doc. No. 753499_2

Passed by the Council of The City of San Diego on APR 15 2014, 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"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 15 2014

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

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

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

(Seal)

By Karen Cook, Deputy

Office of the City Clerk, San Diego, California

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