

4/29/14

Item 330

Subitem B

RESOLUTION NUMBER R- 308912

DATE OF FINAL PASSAGE MAY 15 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE ASSESSMENT ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS WITHIN THE KENSINGTON MANOR MAINTENANCE ASSESSMENT DISTRICT.

WHEREAS, the Landscape and Lighting Act of 1972 (the Act), codified at California Streets and Highways Code section 22500 through 22679, and the Maintenance Assessment District Ordinance, codified in Chapter 6, Article 5, Division 2 of the San Diego Municipal Code, authorize the creation of maintenance assessment districts and set forth the procedure for the formation of a maintenance assessment district; and

WHEREAS, pursuant to the Act and San Diego Municipal Code section 65.0211, the City has ordered the preparation of an engineer's report for a proposed maintenance assessment district in the Kensington Manor neighborhood in the City of San Diego, which is attached to the backup materials for the City Council agenda item accompanying this Resolution (Engineer's Report), and has docketed the Engineer's Report for review by the City Council; NOW

THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. The City Council declares its intent to order the formation of a maintenance assessment district to be designated the Kensington Manor Maintenance Assessment District (District) and to levy and collect annual assessments within the District for Fiscal Year 2015.

2. The Engineer's Report submitted in connection with the Kensington Manor Maintenance Assessment District, and on file in the Office of the City Clerk as Document No. RR- 308912, is hereby approved as filed.

3. The City Council declares its intent to levy and collect annual assessments on parcels within the District to pay a prescribed portion of the costs of future improvements, maintenance, and services as described in the Engineer's Report for the District.

4. The improvements, maintenance, and services to be undertaken within the District, located in the Kensington neighborhood of the City, generally consist of the procurement, installation, repair, replacement, operations, and maintenance of ornamental street lighting improvements located within the District. A conceptual depiction of the location of ornamental street lighting improvements is provided in Figure 2 of the Engineer's Report.

5. The Engineer's Report contains a full and detailed description of the improvements, maintenance, and services; the boundaries of the District; and the proposed assessments upon assessable lots and parcels of land within the District.

6. Notice is hereby given, that June 24, 2014 at 2:00 p.m., or as soon thereafter as it may be heard, in the City Council Chambers of the City Administration Building, 202 C Street, 12th floor, San Diego, California, is fixed as the time and place where the City Council shall conduct a public hearing on the question of the formation of the District and the levy of the proposed assessments. The public hearing may be continued from time to time as necessary.

7. The City Clerk is directed to cause a notice of the hearing and assessment ballots to be mailed at least forty-five (45) days before the date of the public hearing, postage prepaid, to all affected property owners, whose names and addresses appear on the last equalized County

Assessment Roll, all in the manner and form provided for in California Government Code sections 53750-53756.

8. The City Council authorizes the Mayor or designee to vote on behalf of the City affirmatively on any ballot the City receives for the levy of assessment on any City-owned parcel within the District.

APPROVED AS TO FORM:  
JAN I. GOLDSMITH, City Attorney

By *Daphne Z. Skogen*  
Daphne Z. Skogen  
Deputy City Attorney

DZS:dkr  
4/16/2014  
Or.Dept: Parks & Rec.  
Doc. No. 759473

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 29 2014.

ELIZABETH S. MALAND  
City Clerk

By *Karen Cook*  
Deputy City Clerk

Approved: *5/15/14*  
(date)

*Kevin L. Faulconer*  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

NOTE TO FILE

Re: Administrative correction to incorrectly dated resolutions/files.

The attached document was returned to the Office of the City Clerk signed by the Mayor on May 14, 2014.

It was noted by a member of the Mayor's Administration Department, Sabrina Custer, that the wrong month had inadvertently been handwritten into the date slot at the time the document was signed. (The date 4/15/14 was input instead of 5/15/14.)

Since this was a clear administrative and non-substantive mistake, I instructed Ms. Custer to write a 5 over the 4, and initial the correction.

George Biagi

Deputy Director, Legislative Services

Office of the City Clerk

May 15, 2014

Passed by the Council of The City of San Diego on APR 29 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Marti Emerald   | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Date of final passage MAY 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

Resolution Number R- 308912