

RESOLUTION NUMBER R- 309454

DATE OF FINAL PASSAGE JAN 13 2015

ITEM # 102
SUB-A
1/13/15

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 monument 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

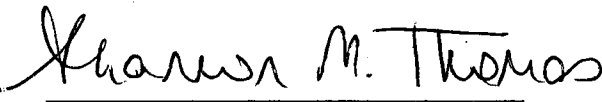
WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the

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>Depositor</u>	<u>Project Name</u>	<u>Map Number</u>	<u>PTS No.</u>	<u>Work Order No.</u>	<u>Amount</u>
Riviera Beach Townhomes LLC	Riviera Beach Grading	20997	272766	23427490	\$15,000.00
Mrec-Davidson Fairbanks LLC	Fairbanks Country Villas	15837	11104	421461	\$40,000.00
Samuel Michan Cojab Nice Living LLC	Keating 2 Parcel Map	28020	329045	3893	\$250.00
San Diego Unified School District Facilities MGMT/ M&O	Fairbrook Estates	15653	3033	400382	\$10,500.00
The Irvine Company LLC	Pacific Ridge Apartment Homes	15867	122213	426348	\$5,880.00
SWS Engineering	Diamond Parcel Map	21020	300560		\$2,000.00
Pardee Homes 10880 Wilshire Bl	Pacific Highlands Ranch Basin 4A	20545	148166	430211	\$1,900.00
SO Estates LLC	Silver Oak Estates	14373	184090	400415	\$2,000.00
Del Mar High	Del Mar Heights PM LLA	21067	293141	24003186	\$2,000.00
Pardee Homes	Sunset Terrace Unit 2M	15856	140884	427551	\$10,000.00

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Shannon M. Thomas
Deputy City Attorney

SMT: als
12/17/14
Or.Dept: DSD
Doc. No. 912903_2

Passed by the Council of The City of San Diego on JAN 13 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<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 JAN 13 2015.

(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 , Deputy

Office of the City Clerk, San Diego, California

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