

RESOLUTION NUMBER R- 312571  
DATE OF FINAL PASSAGE JUL 19 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE OPERATING AND  
MANAGEMENT AGREEMENT WITH ENHANCE LA JOLLA  
TO ADMINISTER THE LA JOLLA MAINTENANCE  
ASSESSMENT DISTRICT.

WHEREAS, the La Jolla Maintenance Assessment District (District) is an existing district as defined in San Diego Municipal Code section 65.0202 and is authorized and administered in accordance with the following laws, as applicable: Article XIID of the California Constitution, the Proposition 218 Omnibus Implementation Act (California Government Code sections 53750-53758), and the Maintenance Assessment District Procedural Ordinance (San Diego Municipal Code sections 65.0201-65.0222); and

WHEREAS, on September 27, 2016, the Council adopted Resolution No. R-310701 approving the Engineer's Report submitted in connection with the District, and on November 15, 2016, adopted Resolution No. R-310802 establishing the District; and

WHEREAS, the Engineer's Report for the District, on file in the Office of the City Clerk as Document No. RR- 310701, describes, among other things, the improvements and activities to be undertaken for the benefit of property owners within the District; and

WHEREAS, pursuant to San Diego Municipal Code section 65.0220, an assessment engineer prepared an Annual Report for the period of July 1, 2019 through June 30, 2020 (Fiscal Year 2020) for the District that describes, among other things, the improvements and activities to be undertaken in Fiscal Year 2020 for the benefit of property owners within the District, and the assessment rates and properties to be assessed for Fiscal Year 2020; and

WHEREAS, Enhance La Jolla will serve as the Owners' Association for the District in accordance with Municipal Code section 65.0217; and

WHEREAS, the Owners' Association is responsible for administering all contracts necessary to provide the improvements and activities within the District, as well as managing the day to day operations of the District; and

WHEREAS, the City desires to enter into a new five-year agreement with Enhance La Jolla as the Owners' Association for the administration of the District (Agreement), included as Attachment 6 to the Staff Report; and

WHEREAS, pursuant to Municipal Code section 65.0218 (a), an agreement between the City and an Owners' Association for administration of a district may be awarded without a competitive process; and

WHEREAS, the Agreement contains all terms required under Municipal Code sections 65.0218 (b) - (n) and Council Policy 100-21 entitled "Maintenance Assessment Districts"; NOW, THEREFORE,

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

1. The Council approves the Agreement.
2. The Mayor, or designee, is authorized and directed to execute the Agreement on the City's behalf and to take any and all actions necessary to implement the Agreement. A fully-executed copy of the Agreement shall be placed on file in the Office of the City Clerk as Document No. RR- 312571.

3. The Chief Financial Officer is authorized to appropriate and expend from La Jolla Maintenance Assessment District Fund 200732, as required per the terms of the Agreement and consistent with the Engineer's Report and all applicable Annual Reports, and contingent upon

the Chief Financial Officer certifying that the funds necessary for expenditure are or will be available.

APPROVED: MARA W. ELLIOTT, City Attorney

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

DZS:jdf  
06/25/19  
Or. Dept: Econ Dev  
Doc. No. 2041459\_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 16 2019.

ELIZABETH S. MALAND  
City Clerk

By: *[Signature]*  
Deputy City Clerk

Approved: 7/19/19  
(date)

*[Signature]*  
KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on JUL 16 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<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"/>
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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 19 2019

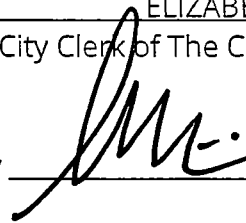
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

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

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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