

RESOLUTION NO. 6951

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE INTENTION TO ESTABLISH CHULA VISTA OPEN SPACE DISTRICT NO. 1, AND SETTING THE TIME AND PLACE FOR HEARING THEREON

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, the City Council has heretofore directed the Director of Public Works to proceed with the necessary studies, following the submission of their preliminary report on February 14, 1973, to establish an open space maintenance district in the El Rancho del Rey area, and

WHEREAS, such studies have been completed and are ready to be submitted to the City Council at a public hearing to determine the desirability of establishing the Chula Vista Open Space District No. 1.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista proposes and intends to establish an open space maintenance district to pay costs of maintaining natural open space, green belt and slopes along major and collector roads, including the maintenance of all trees, shrubs, plants, etc., planted or placed within said open space area, as designated in Exhibit "A" attached hereto and incorporated herein by reference as if set forth in full, in accordance with the provisions of Ordinance No. 1400 establishing procedures for the acquisition, development and maintenance of open space, known as the Chula Vista Open Space District Procedural Ordinance of 1972, as provided in Sections 35.201 through 35.236, and as such may be amended.

Section 1

DESCRIPTION OF MAINTENANCE

The proposed maintenance consists in general of the following:

- (a) Irrigation
- (b) Fertilization
- (c) Removal of weeds, trash and litter
- (d) Pruning of trees and shrubs
- (e) Replacement of dead or diseased trees and shrubs
- (f) Repair of equipment and facilities
- (g) Weed abatement
- (h) Trail maintenance

Section 2

DESCRIPTION OF MAINTENANCE DISTRICT

The maintenance district is that as described in Exhibit "A", attached hereto and incorporated herein by reference as if set forth in full.

R. 6/9/75

Section 3

ASSESSMENT OF COST AND EXPENSE

It is proposed to assess the total amount of the maintenance cost of the district after establishment, plus the incidental expenses thereto, to all of the real property within the district, in conformance with the provisions of the Chula Vista Open Space District Procedural Ordinance of 1972, in proportion to the estimated benefits from the maintenance to be received by the individual parcels of real property. The Council may order a portion of the cost of maintenance to be paid by the City from appropriate funds. The maximum cost of said maintenance is the sum of \$110,000.00.

No assessment will be levied pursuant to Article 2 of Chapter 35 of the Chula Vista City Code to pay the costs of acquisition and development.

The initial assessment for Phase 1 of Chula Vista Open Space District No. 1 will be \$2.50 per unit per month for the maintenance of slopes and natural open space within El Rancho del Rey Units No. 1 and 2 and Candlewood Subdivisions.

The assessment per dwelling unit will be adjusted every year to reflect the changes in actual number of dwelling units and additional maintenance costs.

A statement of the proposed assessments and the procedure thereby to be levied against the lots or parcels is on file in the office of the Director of Public Works for public inspection.

Section 4

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that Tuesday, August 7, 1973, at 7:00 p.m. in the Council Chambers in the Civic Center, 276 Fourth Avenue, Chula Vista, California, is the day, hour and place for the hearing when any person interested may object to the proposed maintenance or the amount of the assessment. Failure to make objections at that time shall be deemed to be a waiver of all objections and shall operate as a bar for any claim for damages.

Such protest, if any, must be in writing and must contain a description of the property in which each signer thereof is interested, sufficient to identify the same, and shall be delivered to and filed with the City Clerk at a time no later than the hour set for the hearing.

Section 5

PUBLICATION OF NOTICE

The City Clerk of the City of Chula Vista is directed to cause a notice, entitled "Notice of Maintenance District", to be published at least ten days before the date of the hearing in the Chula Vista Star News.

The City Clerk is directed to mail a copy of such notice, postage prepaid, to all persons owning real property proposed to be assessed whose names and addresses appear on the last equalized County Assessment Roll, all in the manner provided for in the Chula Vista Open Space District Procedural Ordinance of 1972.

Presented by


Lane F. Cole, Director of
Public Works

Approved as to form by


George D. Lindberg, City Attorney

R. 6/16/5

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, this 17th day of July, 1973, by the following vote, to-wit:

AYES: Councilmen Hyde, Egdahl, Scott, Hobel, Hamilton

NAYES: Councilmen None

ABSENT: Councilmen None

Thomas D. Hamilton
Mayor of the City of Chula Vista

ATTEST *Jennie M. Fulasz*
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, City Clerk of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of _____ and that the same has not been amended or repealed.

DATED: _____

City Clerk

R. 19/65

EXHIBIT "A"

OPEN SPACE DISTRICT NO. 1 OF THE CITY OF CHULA VISTA

Description:

Those portions of Quarter Sections 10, 11, 16, 17, 36, 37, 38, 41, 42, and 43 of Rancho De La Nacion in the City of Chula Vista County of San Diego, California lying within the area bounded by the Centerlines of East "H" Street, Otay Lakes Road, Telegraph Canyon Road and the future centerline of Paseo Ranchero, excepting therefrom all schools lying within subject area.

Areas to be Maintained:

- A. Approximately 25.7 acres of green belt and landscaped slopes
- B. Approximately 45.5 acres of natural open space

July 16, 1973

R 6915

