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RESOLUTION NO. 7011

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE INTENTION TO ESTABLISH CHULA VISTA OPEN SPACE DISTRICT NO. 2, 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 August 6, 1973, to establish an open space maintenance district in the Larkhaven Subdivisions 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. 2.

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

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.

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 annual tax levy necessary to finance the maintenance as estimated is \$7,030.00.

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 Chula Vista Open Space District No. 2 will be \$2.49 per unit per month for the maintenance of slopes and natural open space within the subdivision boundary for Larkhaven Units 1, 2, 3, and 4.

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, October 2, 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

Approved as to form by


Lane F. Cole, Director of
Public Works


George B. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY
OF CHULA VISTA, CALIFORNIA, this 11th day of September,
1973, by the following vote, to-wit:

AYES: Councilmen Scott, Hamilton, Hyde, Egdahl

NAYES: Councilmen None

ABSENT: Councilmen Hobel

Thomas D. Hamilton Jr.
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

EXHIBIT "A"

OPEN SPACE DISTRICT NO. 2 OF THE CITY OF CHULA VISTA

Description:

A portion of the West half of Fractional Section 13, Township 18 South, Range 2 West, San Bernardino Base and Meridian, according to Record of Survey Map No. 3307, filed in the Office of the County Recorder of San Diego, State of California and lying within Larkhaven Chula Vista Unit No. 1 Subdivision per Map thereof No. 7430; and Larkhaven Chula Vista Unit No. 2 Subdivision per Map thereof No. 7435; and Larkhaven Chula Vista No. 3 Subdivision per Map thereof No. 7590; and Larkhaven Chula Vista Unit No. 4 Subdivision per Map thereof No. 7591, Records of said County excepting therefrom Lot "A", Lot "C" and pedestrian access.

Areas to be Maintained:

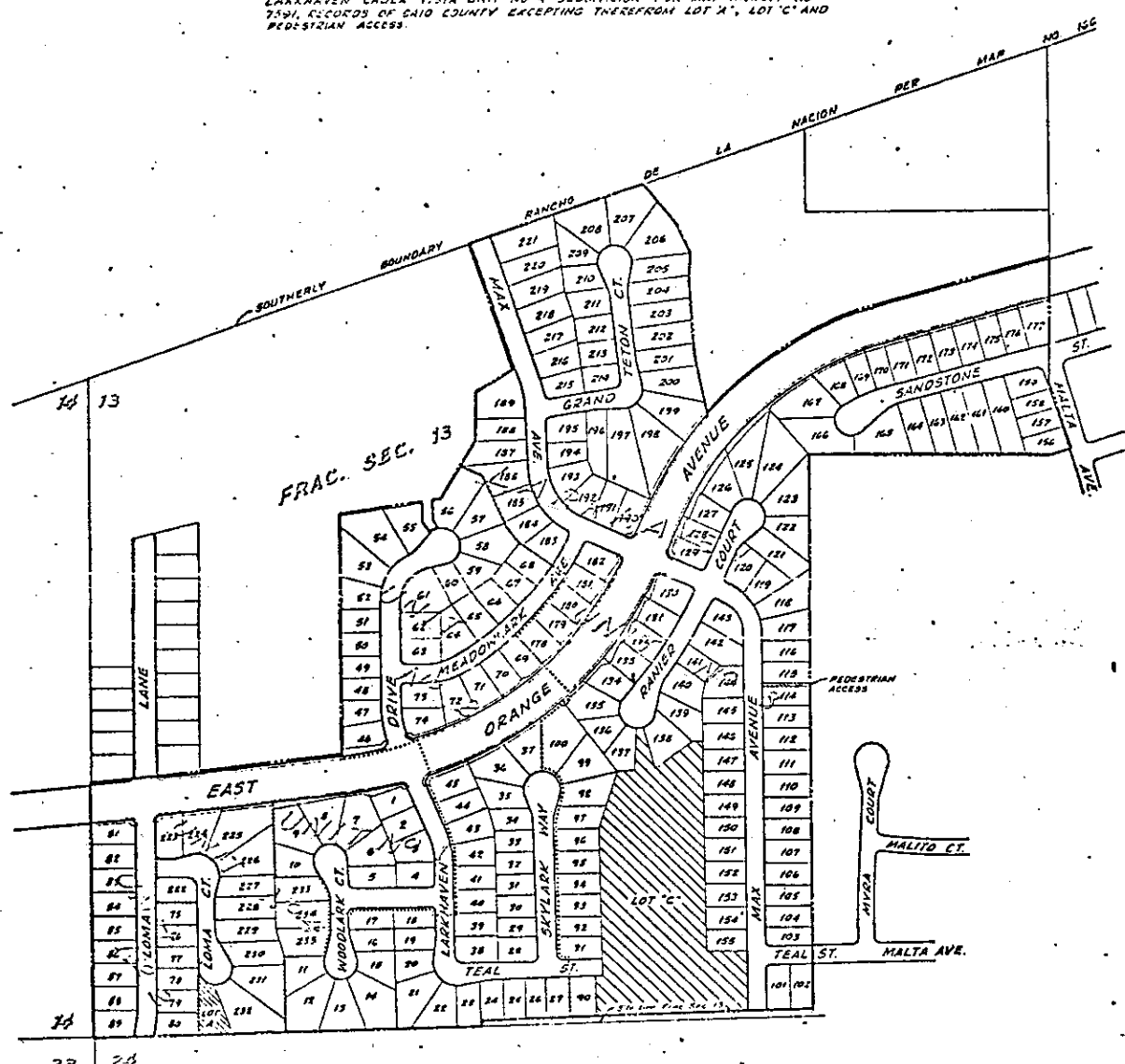
Slopes adjacent to Orange Avenue in Larkhaven Units 1, 2, 3 and 4.

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

DESCRIPTION

A PORTION OF THE WEST HALF OF ORIGINAL SECTION 13, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN JOAQUINO MERIDIAN, ACCORDING TO RECORD OF SURVEY MAP NO. 3107, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, STATE OF CALIFORNIA AND LYING WITHIN LARKHAVEN CHULA VISTA UNIT NO. 1 SUBDIVISION PER MAP THEREOF NO. 7430; AND LARKHAVEN CHULA VISTA UNIT NO. 2 SUBDIVISION PER MAP THEREOF NO. 7435; AND LARKHAVEN CHULA VISTA NO. 3 SUBDIVISION PER MAP THEREOF NO. 7510; AND LARKHAVEN CHULA VISTA UNIT NO. 4 SUBDIVISION PER MAP THEREOF NO. 7591, RECORDS OF SAID COUNTY EXCEPTING THEREFROM LOT 'A', LOT 'C' AND PEDESTRIAN ACCESS.



- LEGEND**
- District Boundary
 - Open Space to be maintained
 - 125 Assessment Numbers
 - Subdivision Boundaries
 - ▨ Areas not subject to assessment

APPROVAL

APPROVED BY THE CHULA VISTA CITY COUNCIL BY ORDINANCE _____ DATED _____

N
SCALE: 1"=200'


Chris Cole
DIRECTOR OF PUBLIC WORKS
8-7-73
DATE

James Hall
DIRECTOR OF MAPS & E.C.
8-7-73
DATE

R. YON

CHULA VISTA CITY COUNCIL MEETING OF: September 11, 1973

ITEM TITLE: Resolution - Approving report, resolution of intention and setting public hearing for the formation of Chula Vista Open Space District #2

INITIATED BY: Director of Public Works/City Engineer 

BACKGROUND

On July 12, 1973, American Housing Guild, developer of Larkhaven Subdivisions, submitted a petition for the formation of an open space district in accordance with Section 35.211 of the City Code.

A preliminary report was submitted by the Director of Parks & Recreation and Director of Public Works to the City Clerk on August 6, 1973. The Planning Commission, at its meeting of August 22, 1973 considered the establishment of Open Space District #2 in Larkhaven Subdivisions. The Planning Commission recommended to the City Council approval of establishing Open Space District #2.

The formation of Open Space District #2 was a condition of approval of the tentative maps for Larkhaven Subdivision. The formation of the open space district will provide for the maintenance of landscaping, plant material and irrigation systems, which will be installed along and adjacent to Orange Avenue between the back of sidewalk and the decorative masonry wall. These improvements are a requirement of City Council approval of the final maps for Larkhaven Subdivisions.

The Engineering Division has prepared a diagram showing the boundaries of Open Space Maintenance District #2. The proposed district includes all properties bounded by the subdivision boundary for Larkhaven Units 1, 2, 3 and 4.

The Engineering Division proposes to spread the assessment on a per dwelling unit basis. (continued on supplemental page)

ATTACHED: Resolution [] Ordinance [] Agreement [] Plat []

See EXHIBITS [] No. 1,2

Financial Statement:

N.A.

Commission-Board Recommendation:

Planning Commission recommended on August 22, 1973 that the City Council approve a resolution establishing Open Space District #2.

Department Head Recommendation:

1. Council approve report.
2. Approve the resolution of intention to form Chula Vista Open Space District No. 2
3. City Council set a date for a public hearing to hear protests and objections to the formation of Chula Vista Open Space District #2 in accordance with Section 35.217 of the Chula Vista City Code.

City Manager Recommendation:

Concur

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Maximum annual tax levy necessary to finance the maintenance as estimated is \$7,030.

No assessment will be levied pursuant to Article 2 of Chapter 35 of the Chula Vista City Code to pay the cost of acquisition and development. The initial assessment for Chula Vista Open Space District #2 will be \$2.49 per unit per month for the maintenance of the landscaping, plant material and irrigation system.

The assessment per dwelling unit will be adjusted every year to reflect the changes in additional maintenance costs.

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