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RESOLUTION NO. 7376

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE INTENTION TO ESTABLISH CHULA VISTA OPEN SPACE DISTRICT NO. 4, 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 July 1, 1974, to establish an open space maintenance district in the Bonita Ridge Estates Units 1 through 4 Subdivision 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. 4.

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

Note: Landscaping and irrigation system shall be maintained and guaranteed by the subdivider for a period of one year after acceptance by the City Landscape Architect.

Section 2

DESCRIPTION OF MAINTENANCE DISTRICT

The maintenance district is that as described in Exhibit "B", 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 anticipated annual maintenance cost will range between \$4,329.91 and \$9,480.38, as shown on Exhibit "A", attached hereto and incorporated herein by reference as if set forth in full.

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 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 6, 1974, 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

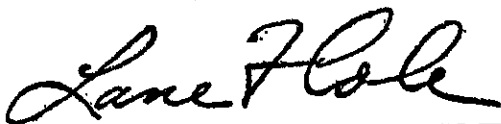
PUBLICATION OF NOTICE

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 D. Lindberg, City Attorney

MAINTENANCE COSTS
OPEN SPACE DISTRICT #4

EXHIBIT "A"

The following cost estimates are based upon acceptable standards for the maintenance of the landscaped slopes in Bonita Ridge Estates No. 1.

As noted on page 5 of 14 of the Landscape Plan for Bonita Ridge Estates, as prepared by Landscape Architect Ron Pekarek, under Planting Notes, Item #13 which states "The entire installation shall be maintained and guaranteed by the contractor for a period of one year from acceptance by the Landscape Architect," the costs would be estimated as follows:

343,644 square feet @ .0126 per square foot per year:	\$4,329.91
\$4,329.91 ÷ 72 units: (per unit cost per year) =	\$ 60.13
\$60.13 ÷ 12 month: (per unit per month) =	\$ 5.01

The cost estimates for Units Nos. 2, 3, and 4 are based upon the above stated stipulations, assuming that the Landscape Architect's theme used in Unit #1 will be continued throughout this development. If changes are made, a re-assessment of these districts would be necessary.

Unit No. 2

529,645 square feet @ .0126 per square foot per year:	\$6,673.53
\$6,673.53 ÷ 111 units (per unit cost per year):	\$ 60.12
\$60.12 ÷ 12 months (per unit per month):	\$ 5.01

Unit No. 3

681,234 square feet @ .0126 per square foot per year:	\$8,583.55
\$8,583.55 ÷ 146 units (per unit cost per year):	\$ 58.74
\$58.74 ÷ 12 months (per unit per month):	\$ 4.90

Unit No. 4

752,411 square feet @ .0126 per square foot per year:	\$9,480.38
\$9,480.38 ÷ 207 units (per unit cost per year):	\$ 45.80
\$45.80 ÷ 12 months (per unit per month):	\$ 3.82

ELL:mw

Dune

OPEN SPACE DISTRICT NO. 4 OF THE CITY OF CHULA VISTA

Description:

Portions of Quarter Sections 33, 34, 46 and 47 of Rancho de la Nacion, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 166, filed in the office of the Recorder of San Diego County, May 11, 1869.

Area to be Maintained:

All of Lots 73, 74, 75, 76, 116, 117, 141, 154, 217, 218, 219 and 220 of Bonita Ridge Estates Subdivision.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

CHULA VISTA, CALIFORNIA this 16th day of July,

1976, by the following vote, to-wit:

AYES:	Councilmen	<u>Hobel, Hamilton, Hyde, Egdahl, Scott</u>
NAYES:	Councilmen	<u>None</u>
ABSENT:	Councilmen	<u>None</u>
ABSTAIN:	Councilmen	<u>None</u>

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, CMC, 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

(SEAL)

CHULA VISTA CITY COUNCIL MEETING OF: July 16, 1974

ITEM TITLE: Resolution - Intention to Hold Public Hearing on Open Space District No. 4

INITIATED BY: Director of Public Works/City Engineer *GE*

BACKGROUND

Following acceptance of the report for the formation of Open Space District #4, it is in order for Council to approve the Resolution of Intention for the formation of Open Space District #4 and set a date for public hearing.

ATTACHED: Resolution [] Ordinance [] Agreement [] Plat []
See EXHIBITS [] No. 1

Financial Statement:

N.A.

Commission-Board Recommendation:

N.A.

Department Head Recommendation:

1. Council approve the Resolution of Intention to form Chula Vista Open Space District #4.
2. City Council set a date for a public hearing to hear protests and objections to the formation of Chula Vista Open Space District #4 in accordance with Section 35.217 of the Chula Vista City Code.

City Manager Recommendation:

Concur

R 7376