

RESOLUTION NO. 13354

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING PRELIMINARY REPORT AND DECLARING THE CITY'S INTENTION TO ESTABLISH CHULA VISTA OPEN SPACE DISTRICT NO. 17 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 developer of Bel Air Ridge, Louis Cohen & Associates, has submitted a petition for the formation of an Open Space Maintenance District in accordance with Chapter 17.08 of the Chula Vista Municipal Code, and

WHEREAS, a preliminary report was submitted by the City Engineer and the Director of Parks and Recreation for the cost of maintaining the open space district and a preliminary estimate for the assessment to be charged for each parcel, and

WHEREAS, on November 4, 1987, the preliminary report was submitted to the City Planning Commission pursuant to Chula Vista Municipal Code Section 17.08.150 and the Planning Commission recommended formation of an open space maintenance district for Woodland Park Subdivision by its Resolution PCS-87-7A, and

WHEREAS, said preliminary report has been presented to the City Council for consideration.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby accept the preliminary report for the formation of Open Space District No. 17 and determines that the public interest and convenience require the formation of an open space district.

BE IT FURTHER RESOLVED that the City Council declares its intention to form a district pursuant to the provisions of Chapter 17.08 of the Chula Vista Municipal Code for maintenance of the slope contained in Lot A and maintenance of the outlet of the storm drain to be constructed within the boundaries of the proposed open space maintenance district as set forth on Exhibit "A", attached hereto and incorporated herein by this reference as if fully set forth herein as follows:

SECTION 1

DESCRIPTION OF MAINTENANCE

The proposed maintenance of Open Space District No. 17 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) Erosion repair

SECTION 2

ASSESSMENT OF COST AND EXPENSE

The initial assessment of Chula Vista Open Space District No. 17 will be \$60.87 per unit per annum for slope maintenance of Lot A. The developer will deposit \$2,000 with the City for storm drain outlet maintenance and initially there will be no assessment for maintenance. The maintenance cost for the storm drain outlet will be reviewed and City costs for actual maintenance performed will be reimbursed from the fund. The cost of that reimbursement will then be passed on to the property owners in the form of an increased assessment estimated to be \$19.56 per unit per annum. In the event an assessment should be levied, said assessment per dwelling unit will be adjusted every year to reflect the changes in the actual number of dwelling units and additional maintenance costs.

SECTION 3

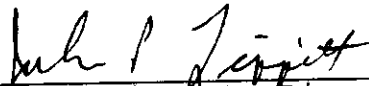
TIME AND PLACE OF HEARING

Notice is hereby given that Tuesday, December 15, 1987 at 7:00 p.m. in the Council Chambers of City Hall, 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 district. 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.

BE IT FURTHER RESOLVED that the City Clerk is directed to advertise the public hearing and mail notices of the hearing to affected persons in accordance with Sections 17.08.180 and 17.08.190 of the Chula Vista Municipal Code.

Presented by

Approved as to form by



 John P. Lippitt, Director of
 Public Works



 Thomas J. Harron, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

CHULA VISTA, CALIFORNIA, this 24th day of November

19 87, by the following vote, to-wit:

AYES: Councilmembers McCandliss, Cox, Moore, Nader, Malcolm

NAYES: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

Gregory R. Cox
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
RESOLUTION NO. 13354, and that the same has not been amended or repealed.

DATED _____

City Clerk



MAP 168
"D. DE LA VAC

OFFSITE
SLOPE

STORM DRAIN
OUTLET

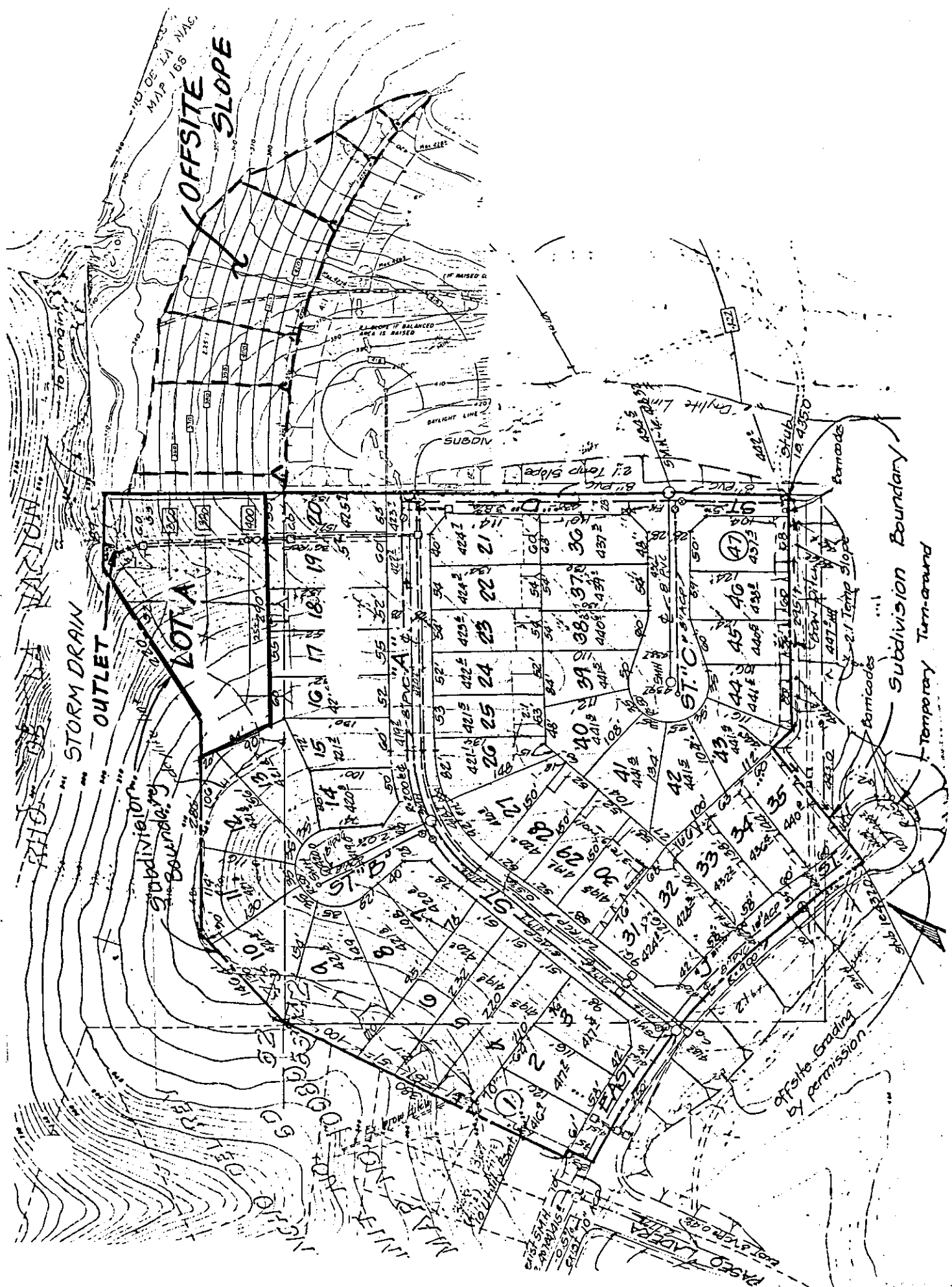
LOT A

ST. C

Subdivision Boundary

Temporary Turn-around

offsite Grading
by permission



EXTRACT FROM MINUTES OF PLANNING COMMISSION MEETING OF NOVEMBER 4, 1987

1. REPORT: PROPOSED OPEN SPACE DISTRICT NO. 17 (BEL AIR RIDGE)

Deputy Director of Public Works/City Engineer Garibay stated that the tentative map for Chula Vista Tract 87-7, Bel Air Ridge Subdivision, had been approved in June, 1987. The project is located on the north side of East "J" Street, just west of Paseo Ladera and consists of 46 single-family residential lots and one open space (Lot A). Lot "A" consists of a slope 90 feet high containing a 48-inch storm drain collecting into Rice Canyon. It was concluded by staff and agreed to by the applicant that the project should consist of a single open space by itself and future projects in Rancho del Sur would be annexed to that open space. A district is being formed that maintains not only open space but also the drainage facility. The estimated cost for the open space is \$2,800 or \$60.87/lot/year. The developer is placing a \$2,000 reserve for the drainage facility and there will be an assessment per \$20/dwelling unit/year. The developer has agreed to maintain the off-site slopes in proximity to Lot A for a period of 7 years.

MSUC (Cannon/Shipe) to recommend formation of the proposed open space district by the City Council.

November 9, 1987
File: OS-018

ATTACHMENT "B"

Estimate Annual Maintenance Costs
Open Space Maintenance District No. 17

Case I: No Storm Drain Outlet Maintenance

	<u>Slope</u>	<u>Storm Drain</u>	<u>Total</u>
Annual Maintenance	\$2,800.00	\$ 0.00	\$2,800.00
Cost Per Unit	\$ 60.87	\$ 0.00	\$ 60.87

Case II: Storm Drain Outlet Maintenance Required

	<u>Slope</u>	<u>Storm Drain</u>	<u>Total</u>
Annual Maintenance	\$2,800.00	\$900.00	\$3,700.00
Cost Per Unit	\$ 60.87	\$ 19.56	\$ 80.43

CST:yc

(B9:ESTIMATE)