RESOLUTION NO. 8824

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING REPORT DECLARING THE CITY'S INTENTION TO ESTABLISH CHULA VISTA OPEN SPACE DISTRICT NO. 9, AND SETTING THE TIME AND PLACE FOR HEARING THEREON

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

WHEREAS, on August 17, 1977, Mr. Louis S. Cohen, Vice-President of El Rancho del Rey, Inc., the developer of El Rancho del Rey, Unit No. 5 Subdivision, submitted a petition for the formation of an open space district in accordance with Chapter 17.08 of the Chula Vista Municipal Code, and

WHEREAS, a preliminary report was submitted by the Director of Parks and Recreation and Director of Public Works to the Planning Commission on September 1, 1977, and

WHEREAS, the Planning Commission, at its meeting of September 14, 1977, considered the establishment of Open Space District No. 9 in El Rancho del Rey, Unit No. 5 Subdivision and recommended approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby accept the report for the formation of Open Space District No. 9 and 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.

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 is estimated at $24,230.00.

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. 9 will be $63.10 per unit per annum for the maintenance of slopes and natural open space within the subdivision boundary for El Rancho del Rey, Unit No. 5 Subdivision.

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 18, 1977, 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

Ed. J. Robens

E. J. Robens, Director of Public Works

Approved as to form by

George D. Lindberg

George D. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF [illegible]A VISTA, CALIFORNIA, this 20th day of September [illegible], by the following vote, to-wit:

[illegible]S: Councilmen Cox, Scott, Egdahl, Hobel

[illegible]YES: Councilmen None

[illegible]STAIN: Councilmen None

[illegible]SENT: Councilmen Hyde

James D. Hobel
Mayor of the City of Chula Vista
Pro Tempore

[illegible]TTEST: Jennie M. Fulasz
City Clerk

[illegible]ATE OF CALIFORNIA)
[illegible]OUNTY OF SAN DIEGO) ss.
[illegible]TY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, [illegible] 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.

[illegible]DATED _____

(seal)

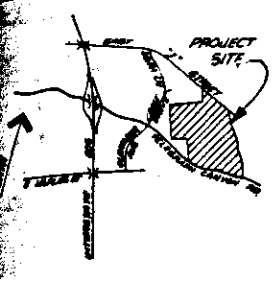
_____
City Clerk

[illegible]660

CITY OF CHULA VISTA OPEN SPACE DISTRICT No. 9

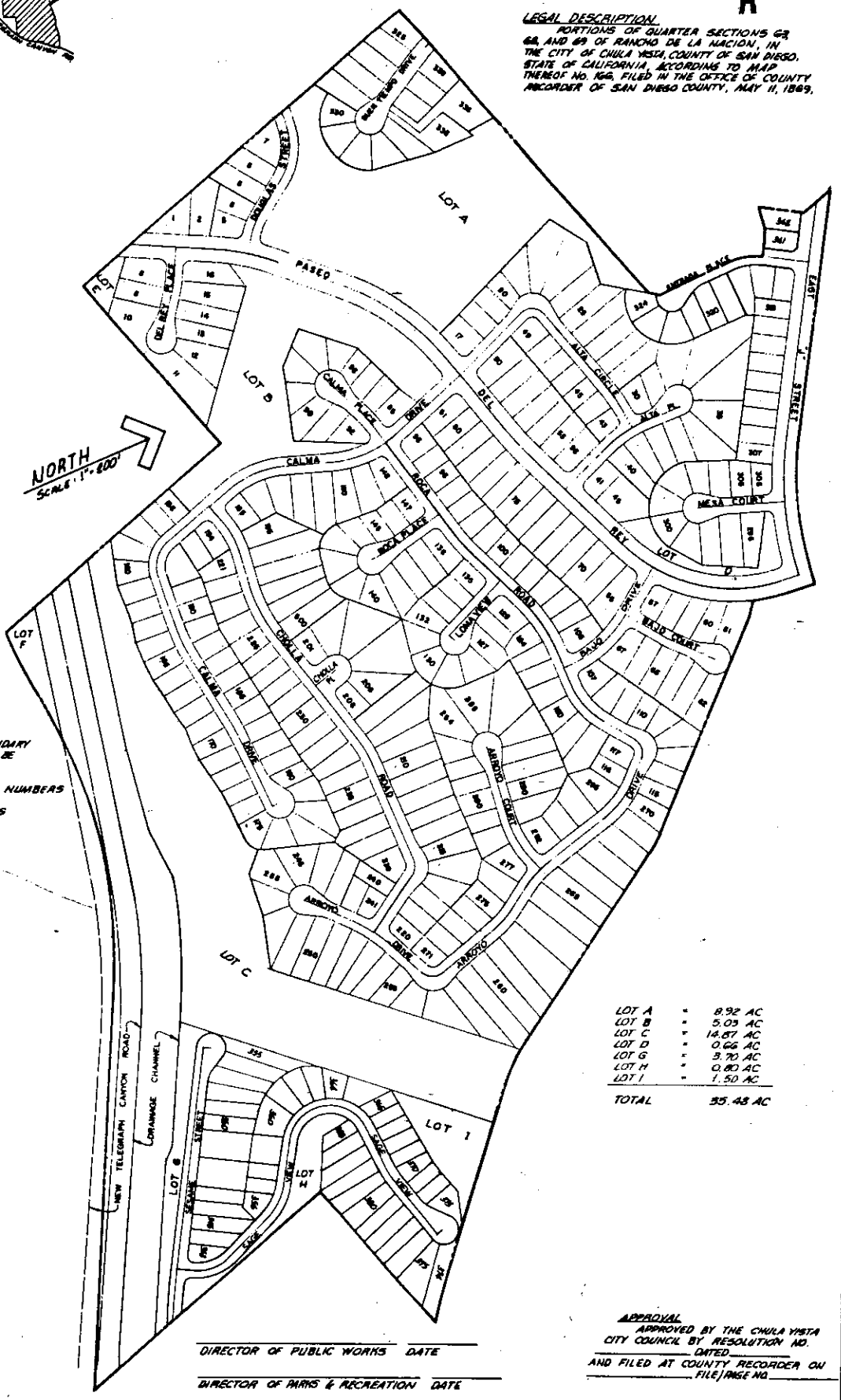
ASSESSMENT DIAGRAM

EXHIBIT A



LEGAL DESCRIPTION

PORTIONS OF QUARTER SECTIONS 68, 68, AND 69 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 COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 11, 1869.



LEGEND

——— DISTRICT BOUNDARY OPEN SPACE TO BE MAINTAINED

182 { ASSESSMENT NUMBERS / LOT NUMBERS

LOT A	=	8.92 AC
LOT B	=	5.03 AC
LOT C	=	14.87 AC
LOT D	=	0.66 AC
LOT G	=	3.70 AC
LOT H	=	0.80 AC
LOT I	=	1.50 AC
TOTAL		35.48 AC

_____ DIRECTOR OF PUBLIC WORKS DATE

_____ DIRECTOR OF PARKS & RECREATION DATE

APPROVAL

APPROVED BY THE CHULA VISTA CITY COUNCIL BY RESOLUTION NO. _____ DATED _____ AND FILED AT COUNTY RECORDER ON _____ FILE/PAGE NO. _____

CITY OF CHULA VISTA
COUNCIL AGENDA STATEMENT

Item No. 7

For meeting of 9-20-77

TITLE Resolution #8824: Accepting Report Declaring City's Intention for the Formation of Open Space District No. 9, Setting Public Hearing

MITTED BY Director of Public Works/City Engineer WJV

EXPLANATION (4/5TH'S VOTE REQUIRED YES___ NO_X_)

August 17, 1977, Mr. Louis S. Cohen, Vice-President of El Rancho del Rey, , the developer of El Rancho del Rey, Unit No. 5 Subdivision, submitted etition for the formation of an open space district in accordance with tion 17.08 of the Chula Vista Municipal Code. The contents of the peti- n meets the requirements of Section 17.08.110.

reliminary report was submitted by the Director of Parks and Recreation Director of Public Works to the City Clerk on September 1, 1977. The nning Commission, at its meeting of September 14, 1977, considered the ablishment of Open Space District No. 9 in El Rancho del Rey, Unit No. 5 bdivision. The exterior boundary of the proposed district is the same as boundary for the subdivision.

llowing acceptance of the report for the formation of Open Space District 9, it is appropriate for the City Council to approve the Resolution of ention for the formation of Open Space District No. 9 and set October 18, as the date for a public hearing to hear protests and objections.

Ch ansparency is available for Council viewing.

C

pc

C

ph EY-075

P

EXHIBITS

Agreement___ Resolution_X_ Ordinance___ Plat_X_ Notification List___

Other X (report) X(letter) ENVIRONMENTAL DOCUMENT: Attached___ Submitted on_____

NCIAL IMPACT

tr

RECOMMENDATION

City Council accept report and adopt resolution.
City Council set October 18, 1977 at 7:00 p.m. in the City Council Chambers as the time and place for a public hearing to hear protests and objections to the formation of Open Space District No. 9.

Pa

COMMISSION RECOMMENDATION

d

nning Commission recommended on September 14, 1977 that the City Council prove a resolution establishing Open Space District No. 9.

CIL ACTION

A P P R O V E D
by the
City Council
of
Chula Vista, California
Dated 9-20-77

Form A-113 (Rev. 5/77)

FILED

80 G-9

The Gerston Companies
DEVELOPERS / GENERAL CONTRACTORS
101 WILSHIRE BOULEVARD · SUITE 1010 · BEVERLY HILLS, CALIFORNIA 90212 · PHONE (213) 272-0815

July 15, 1977

RECEIVED
1977 AUG 17 AM 10 27
CITY OF CHULA VISTA
CITY CLERK'S OFFICE

City Clerk
City of Chula Vista
276 Guava Avenue
Chula Vista, California 92010

Gentlemen:

We, EL RANCHO DEL REY, a California corporation, Owner of portions of Quarter Sections 63, 68 and 69 of Rancho de la Nacion, in the City of Chula Vista, per map No. 166, do hereby petition the City of Chula Vista to form an open space acquisition, development and maintenance district under Ordinance 1400 and in compliance with Resolution No. 8419 approving the Tentative Map of El Rancho Del Rey, Unit #5.

The exterior boundaries of the proposed district are to be the same as the approved Tentative Map of El Rancho del Rey Unit #5 and as shown on the attached map.

The areas to be maintained by the proposed district are all of Lots A, B, C and D as shown on the attached map.

It is proposed that the improvements consist of landscaping and an irrigation system.

It is proposed that the maintenance consist of maintaining said landscaping.

An advisory board has been created with the members being Carmen Pasquale, Bert Yager and Martin Collier. It is requested that the City name the Director of Parks and Recreation and the City Landscape Architect as advisory members to the Board.

This petition is filed pursuant to Section 35.211 of Chula Vista City Code and is intended to carry out the purpose of this article.

The provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 are hereby waived.

EL RANCHO DEL REY

Louis S. Cohen
Vice President

EXHIBIT "A"

RECEIVED
CITY OF CHULA VISTA
PUBLIC WORKS DEPT.
1977 AUG 31 AM 8:34

DATE: August 30, 1977

TO: Al Manese, Associate Civil Engineer

FROM: Charles Knefler, Senior Administrative Analyst CK

SUBJECT: El Rancho del Rey Unit No. 5 - Open Space District No. 9, Cost Estimate

Following is a cost estimate for Open Space District No. 9 as per your request. Please refer to attached map.

	Acreage	Amount
1.	6.51 Acres, hydromulch, trees, shrubs (permanent irrigation)	$10,710
2.	25.68 Acres, natural open space	3,160
3.	1.51 Acres, hydromulch (temporary irrigation)	2,400
4.	2.0 Acres, to be maintained by the Parks and Recreation Department	-0-
5.	1.23 Acres, channel slope, hydromulch, trees and shrubs (temporary irrigation)	1,960
6.	3.80 Acres, channel bottom, hydromulch, shrubs (temporary irrigation)	6,000
	Total	$ 24,230

÷ 384 units = $63.10 per year per unit ÷ 12 = 5.26 per month per unit per year.

CK:kb

cc: Ken Lee
Rene Franken
David Bradstreet

Attachment: Map of Open Space area; return after review.

RECEIVED
CITY OF CHULA VISTA
PUBLIC WORKS DEPT.

1977 SEP 15 AM 8:28

September 15, 1977

To: The Honorable Mayor and City Council

Via: Director of Public Works

From: Director of Planning

Subject: Formation of Open Space District No. 9 in El Rancho del Rey Unit #5

On September 14, 1977 the City Planning Commission, by a 7-0 vote, adopted a motion recommending that the City Council establish Open Space District No. 9 encompassing El Rancho del Rey Unit #5 subdivision, as shown on the attached plat.

D. J. Peterson
Director of Planning

DJP:hm

Attachment

Item 7
V 3

September 1, 1977
File No. EY 075

To: Planning Commission

From: Emerson Hall, Director of Parks and Recreation
Bill Robens, Director of Public Works

Subject: Establishment of Open Space District No. 9 in El Rancho del Rey, Unit #5, Subdivision

Mr. Louis S. Cohen, Vice-President of El Rancho del Rey, Inc., the developer for El Rancho del Rey, Unit #5 Subdivision, submitted a petition on August 17, 1977 for the formation of an open space district in accordance with Chapter 17.08 of the Chula Vista Municipal Code. All of the contents of the petition, according to Section 17.08.110 of the City Code are acceptable.

The Director of Parks and Recreation Department has studied the areas to be maintained in the district, which includes Lots A, B, C, D, G, H, I and the grass lined drainage channel of El Rancho del Rey Unit #3 and as shown on the plat for Open Space District #9. The improvements to be maintained consist of the landscaping, plant material and irrigation system.

The anticipated annual maintenance cost is estimated at $24,230. It is proposed that the cost of maintenance be assessed equally against each dwelling unit for a total of 384 units. The assessment cost for each dwelling unit is $63.10 per annum.

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.

The cost of the maintenance of the open space district will be paid as a part of the property tax and will be delivered to the City. These monies will be deposited in a special fund for payment of maintenance costs incurred by the district.

Engineering staff has established procedures to review the cost of maintaining open space districts. The procedures provide for a review of maintenance costs annually so that staff can initiate Council action to decrease or increase the assessments to cover actual maintenance costs. The attached Exhibit A lists the estimated costs for maintaining Open Space District No. 9 for the first year. Based upon these costs, each of the 384 lots within El Rancho del Rey, Unit No. 5 Subdivision will pay an assessment of 63.10 per year.

APM/rl
Attachment