

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 1  
MONDAY, JUNE 30, 2014  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**  
**NOTICE HEARINGS:**

ITEM-S400: Formation of Five Kensington/Talmadge Maintenance Assessment Districts.  
(Kensington/Talmadge Community Plan Area. District 9.)

(Continued from the meeting of June 24, 2014, Item 333, at the request of Council President Gloria, to continue ballot tabulation, results not available at the time the hearing closed.)

**NOTE:** Hearing closed. Testimony taken.

**ITEM DESCRIPTION:**

This City Council action is to start the process to form five new maintenance assessment districts (MADs) to construct and maintain lighting improvements in the public right-of-ways within the Kensington/Talmadge Community. These five MADs would be known as Kensington Heights, Kensington Manor, Kensington Park - North, Talmadge Park - North, and Talmadge Park South MADs in Fiscal Year 2015. Under the guidelines of Proposition 218, all property owners receiving a direct and special benefit from the improvements within the district have an opportunity to vote in favor or in opposition to the formation of this maintenance assessment districts. This request for new district formations is community driven.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-824)

Adoption of a Resolution considering the protests, confirming the assessments, and ordering the improvements, maintenance, and services in the matter of the Kensington Heights Maintenance Assessment District;

The assessment ballots have been tabulated and it is determined that no majority protest exists;

The District is ordered formed;

The assessments described in the Engineer's Report, on file in the Office of the City Clerk as Document No. RR-308911, are hereby confirmed and are authorized to be levied annually within the range of assessments described in the Engineer's Report;

Pursuant to San Diego Municipal Code Section 65.0227, the validity these assessments and the formation of the District shall not be contested in any action or proceeding unless the action is commenced within thirty calendar days after the final passage of this Resolution;

The Assessment District Map for the District contained in the Engineer's Report is hereby confirmed;

The improvements, maintenance, and services described in the Engineer's Report are hereby ordered performed;

The adoption of this Resolution hereby constitutes the levy of the assessments for the period of July 1, 2014, through June 30, 2015, (Fiscal Year 2015);

The Annual Budget for the District is adopted for Fiscal Year 2015;

The Chief Financial Officer is authorized to establish an interest-bearing fund for the District;

The Chief Financial Officer is authorized to appropriate and expend from the District fund once it is established, consistent with the Engineer's Report and all applicable District Budgets, contingent upon the City Comptroller certifying that the funds necessary for expenditure are or will be available.

Subitem-B: (R-2014-820)

Adoption of a Resolution considering the protests, confirming the assessments, and ordering the improvements, maintenance, and services in the matter of the Kensington Manor Maintenance Assessment District;

The assessment ballots have been tabulated and it is determined that no majority protest exists;

The District is ordered formed;

The assessments described in the Engineer's Report, on file in the Office of the City Clerk as Document No. RR-308912, are hereby confirmed and are authorized to be levied annually within the range of assessments described in the Engineer's Report;

Pursuant to San Diego Municipal Code Section 65.0227, the validity these assessments and the formation of the District shall not be contested in any action or proceeding unless the action is commenced within thirty calendar days after the final passage of this Resolution;

The Assessment District Map for the District contained in the Engineer's Report is hereby confirmed;

The improvements, maintenance, and services described in the Engineer's Report are hereby ordered performed;

The adoption of this Resolution hereby constitutes the levy of the assessments for the period of July 1, 2014, through June 30, 2015, (Fiscal Year 2015);

The Annual Budget for the District is adopted for Fiscal Year 2015;

The Chief Financial Officer is authorized to establish an interest-bearing fund for the District;

The Chief Financial Officer is authorized to appropriate and expend from the District fund once it is established, consistent with the Engineer's Report and all applicable District budgets, contingent upon the City Comptroller certifying that the funds necessary for expenditure are or will be available.

Subitem-C: (R-2014-821)

Adoption of a Resolution considering the protests, confirming the assessments, and ordering the improvements, maintenance, and services in the matter of the Kensington Park North Maintenance Assessment District;

The assessment ballots have been tabulated and it is determined that no majority protest exists;

The District is ordered formed;

The assessments described in the Engineer's Report, on file in the Office of the City Clerk as Document No. RR-308913, are hereby confirmed and are authorized to be levied annually within the range of assessments described in the Engineer's Report;

Pursuant to San Diego Municipal Code Section 65.0227, the validity these assessments and the formation of the District shall not be contested in any action or proceeding unless the action is commenced within thirty calendar days after the final passage of this Resolution;

The assessment district map for the District contained in the Engineer's Report is hereby confirmed;

The improvements, maintenance, and services described in the Engineer's Report are hereby ordered performed;

The adoption of this Resolution hereby constitutes the levy of the assessments for the period of July 1, 2014, through June 30, 2015, (Fiscal Year 2015);

The Annual Budget for the District is adopted for Fiscal Year 2015;

The Chief Financial Officer is authorized to establish an interest-bearing fund for the District;

The Chief Financial Officer is authorized to appropriate and expend from the District fund once it is established, consistent with the Engineer's Report and all applicable District budgets, contingent upon the City Comptroller certifying that the funds necessary for expenditure are or will be available.

Subitem-D: (R-2014-822)

Adoption of a Resolution considering the protests, confirming the assessments, and ordering the improvements, maintenance, and services in the matter of the Talmadge Park-North Maintenance Assessment District;

The assessment ballots have been tabulated and it is determined that no majority protest exists;

The District is ordered formed;

The assessments described in the Engineer's Report, on file in the Office of the City Clerk as Document No. RR-308915, are hereby confirmed and are authorized to be levied annually within the range of assessments described in the Engineer's Report;

Pursuant to San Diego Municipal Code Section 65.0227, the validity these assessments and the formation of the District shall not be contested in any action or proceeding unless the action is commenced within thirty calendar days after the final passage of this Resolution;

The Assessment District Map for the District contained in the Engineer's Report is hereby confirmed;

The improvements, maintenance, and services described in the Engineer's Report are hereby ordered performed;

The adoption of this Resolution hereby constitutes the levy of the assessments for the period of July 1, 2014, through June 30, 2015, (Fiscal Year 2015);

The Annual Budget for the District is adopted for Fiscal Year 2015;

The Chief Financial Officer is authorized to establish an interest-bearing fund for the District;

The Chief Financial Officer is authorized to appropriate and expend from the District fund once it is established, consistent with the Engineer's Report and all applicable District Budgets, contingent upon the City Comptroller certifying that the funds necessary for expenditure are or will be available.

Subitem-E: (R-2014-823)

Adoption of a Resolution considering the protests, confirming the assessments, and ordering the improvements, maintenance, and services in the matter of the Talmadge Park-South Maintenance Assessment District;

The assessment ballots have been tabulated and it is determined that no majority protest exists;

The District is ordered formed;

The assessments described in the Engineer's Report, on file in the Office of the City Clerk as Document No. RR-308912, are hereby confirmed and are authorized to be levied annually within the range of assessments described in the Engineer's Report;

Pursuant to San Diego Municipal Code Section 65.0227, the validity these assessments and the formation of the District shall not be contested in any action or proceeding unless the action is commenced within thirty calendar days after the final passage of this Resolution;

The assessment district map for the District contained in the Engineer's Report is hereby confirmed;

The improvements, maintenance, and services described in the Engineer's Report are hereby ordered performed;

The adoption of this Resolution hereby constitutes the levy of the assessments for the period of July 1, 2014, through June 30, 2015, (Fiscal Year 2015);

The Annual Budget for the District is adopted for Fiscal Year 2015;

The Chief Financial Officer is authorized to establish an interest-bearing fund for the District;

The Chief Financial Officer is authorized to appropriate and expend from the District fund once it is established, consistent with the Engineer's Report and all applicable District Budgets, contingent upon the City Comptroller certifying that the funds necessary for expenditure are or will be available.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Proposed Assessment to Property Owners:

Kensington Heights	\$40,802
Kensington Manor	\$24,690 (External Benefit \$579)
Kensington Park-North	\$17,407 (External Benefit \$354)
Talmadge Park-North	\$10,858
Talmadge-South	\$16,605 (External Benefit \$441)

General Benefit/External Benefits approximate total \$1,374. The maximum authorized assessment is proposed to be indexed annually to the San Diego Regional Consumer Price Index-Urban (CPI-U). The City owns a total of five parcels resulting in no initial General Fund impact.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.

Field/Villa/ps

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