

# NOTICE OF PROPOSED ASSESSMENT AND PUBLIC HEARING

## La Jolla Maintenance Assessment

This legal notice and ballot are sent to the property owner of record and are in compliance with the balloting procedures of Article XIID of the California Constitution (Proposition 218) and required by California Government Code Section 53753.

**This is not a bill;** please do not make any payment at this time.

The La Jolla Maintenance Assessment District (La Jolla MAD or District) would provide enhanced improvements and activities herein referred to as "Services", over and above those currently provided by the City of San Diego (City), which would specifically benefit and be paid for by parcel owners located within the boundaries of the La Jolla MAD. Additional information may be found at <http://www.sandiego.gov/economic-development/about/maintenance.shtml>.

### THIS IS A PROPOSED NEW ASSESSMENT AND DISTRICT

#### A Public Hearing Will Be Held:

November 15, 2016 at 10:00 a.m.

City Administration Building

Council Chambers, 12<sup>th</sup> Floor, 202 C Street, San Diego, CA 92101

#### What is the purpose of this ballot proceeding?

The official assessment ballot in this envelope is your opportunity to help decide on whether the City should form the La Jolla MAD in order to fund additional Services specifically benefitting properties in the La Jolla MAD. *Please vote and return your signed ballot. In order to be counted, the assessment ballot must be received prior to the close of the public input portion of the Public Hearing, which is scheduled to begin on November 15, 2016, at 10:00 a.m.*

#### How much are all of the assessments?

The table below shows the Total Assessment for the La Jolla MAD of \$502,378. The Non-Assessment Revenue (General Benefit) will not be funded from assessments and will be paid for from other non-assessment revenues.

Table 1 - Budget

Activity	La Jolla MAD Budget
Landscaping Improvements and Activities	\$242,024
Sidewalk Improvements and Activities	110,074
Trash Collection Improvements and Activities	111,527
Program Management/Incidentals/Administration	54,995
City Fee	3,500
Contingency Reserve	27,828
<b>Total</b>	<b>\$549,948</b>
Non- Assessment Revenue (General Benefit)	(47,570)
<b>Total Assessment</b>	<b>\$502,378</b>

#### Why should you vote?

Your vote on this matter is important because only returned ballots will be counted. Your ballot is your opportunity to help decide on the future of the La Jolla MAD and the proposed Services it would provide.

#### Who will manage the services?

If approved, contracts for the Services would be managed by either the City or an Owners' Association defined as a private non-profit entity which represents and whose membership includes, the assessed property owners or property owners' representatives in the District. You will have an opportunity to indicate which entity you would prefer manage the Services. Additionally, the City of San Diego would oversee the Services and would administer the collection of the assessments and the contract with the Owners' Association.

#### What Services would be funded by the assessment?

If property owners approve the proposed annual assessments, the following improvements and activities will be provided:

##### Landscape Improvements and Activities

- Shrub and groundcover maintenance including trimming and edging monthly and fertilizing;
- Manual watering of pots once per week;
- Weed abatement;
- Power washing; and
- Tree maintenance including trimming up to 12 feet to clear trees for vehicle and pedestrian traffic and fertilizing twice per year.

##### Sidewalk Improvements and Activities

- Sidewalk steam cleaning annually for Zone 1 properties and less frequently for Zone 2 properties;
- Graffiti Clean Up; and
- Tree trimming for 12 foot clearance.

##### Trash Collection Improvements and Activities

- Trash collection twice per week;
- Trashcan liner replacement twice per week; and
- Litter/Pet Waste Pick Up.

##### Program Management/Incidentals/Administration/Contingency Reserve

- Staff, administration and Insurance costs;
- Office related expenses including rent and telephone;
- Financial reporting, accounting and legal costs;
- Project and Contingency Reserves; and
- City and County Administration Costs.

#### What is the proposed District boundary?

The La Jolla MAD is generally bordered by the Pacific Ocean to the north, Pearl Street to the south, La Jolla Boulevard to the west and Coast Walk and Prospect Place to the east. Each parcel located within the boundaries has been categorized into one of two zones based upon the frequency of improvements and activities needed. A map displaying the boundaries and zones is provided in the Assessment Engineer's Report.

#### How long will the assessments last?

If approved, the assessment will be authorized and levied starting in fiscal year 2017/2018, until the dissolution of the District, except for certain years during which the assessment may be temporarily suspended.

## How is my proposed assessment calculated?

The total cost of the Services to be funded are allocated to each property based on the estimated special benefit received. The assessment calculation incorporates Land Use, Lot Square Footage (LSF), Zoning and Equivalent Benefit Units (EBU) specifically for Single Family Residential properties.

The table below provides a summary of the methodology applied to land use and zone allocation factors. Your actual assessment is included in the assessment roll of the Assessment Engineer's Report and incorporated by reference in this notice.

Assessment Methodology and Multiplier				
Land Use Description	Allocation Based on	Land Use Multiplier	Zone 1 Multiplier	Zone 2 Multiplier
Commercial, Recreational & Multi-Family	LSF	1	1	0.833
Tax Exempt Parcels	LSF	0.333	1	0.833
Single Family Residential	EBU	n/a	n/a	n/a

The table below provides a summary of the assessment rates based on land use and zone resulting from the land use and zone multipliers:

Land Use Description	Allocation		
	Based on	Zone 1 Rate	Zone 2 Rate
Commercial, Recreational & Multi-Family	LSF	\$0.101540	\$0.084583
Tax Exempt Parcels	LSF	\$0.033813	\$0.028166
Single Family Residential	EBU	\$86.870000	\$86.870000

Shown below are calculations for various sample parcels. Note: 1.0 acre (ac) equals 43,560 square feet (sf)

### Commercial Property on 1.0 acres located in Zone 1

LSF = 1.0 acre x 43,560 sf = 43,560 LSF x \$.101540 (Zone 1 rate) = \$4,423.08

### Tax Exempt Parcel on .20 acres located in Zone 2

LSF = .20 x 43,560 sf = 8,712 LSF x \$.028166 (Zone 2 rate) = \$245.38

### Single Family Residential Property .08 acres located in Zone 1 or Zone 2

EBU = 1 EBU x \$86.87 = \$86.87

The actual assessment amount you will pay if the proposed La Jolla MAD is approved is shown on your ballot and by reference is made part of this notice. The complete calculations are in the engineer's report for your La Jolla MAD that is on file in the Office of the City Clerk located at 202 C Street, 2<sup>nd</sup> Floor, San Diego, CA 92101 and by reference is made part of this notice.

## What happens if property owners do not approve the proposed assessments?

If the La Jolla MAD is not approved by the property owners, then the additional Services proposed by the La Jolla MAD will not be provided.

## Will the proposed assessment increase in the future?

The annual assessment is permitted to increase by the change in the San Diego Consumer Price Index All Urban Consumers not to exceed three percent (3%) per year. In the event that the annual change in SDCPI-U exceeds 3%, a percentage change in excess of 3% can be cumulatively reserved and can be added to the annual change in the SDCPI-U for years in which the SDCPI-U is less than 3%. Assessment increases will be reviewed annually.

## What is a "mail back" ballot?

In compliance with Proposition 218, from time to time, the City sends out ballots to property owners asking them to vote on financial issues. **This official assessment ballot is your opportunity to vote on whether you support the proposed assessment and the formation of the La Jolla MAD. The City Clerk must receive your signed and dated ballot on or before the close of the public input portion of the Public Hearing on November 15, 2016.** Only properly filled out and ballots returned on time will be counted and will determine the ballot results.

Each property owner's "Yes" or "No" vote is weighted by the dollar amount of the assessment paid. **The assessment shall not be imposed if the dollar amount for the ballots submitted in opposition to the assessment exceeds the dollar amount of the ballots in favor of the assessment with the ballots weighted according to the proportional financial obligation of the affected property.** In other words, if 50% or more of the ballots submitted are in favor of the assessment (based on the dollar amount of the assessment) the proposed assessment will be levied. **If you plan to**

use the return envelope included with your ballot, please allow for enough time for your mailed ballot to reach the City Clerk before 10:00 a.m., Tuesday, November 15, 2016. The City is not responsible for lost, stolen, misdirected or late mail. Late ballots or ballots only partially completed cannot be counted.

## When is the public hearing?

The City of San Diego's City Council will conduct a public hearing on the proposed assessment at **10:00 a.m., Tuesday, November 15, 2016**, in the City Council Chambers, 12th Floor, 202 C Street, San Diego. You can either return your ballot in person or via the return envelope prior to November 15, 2016, or you can return your ballot in person at the November 15, 2016 meeting and/or offer testimony about the proposed assessment.

Ballots shall remain sealed until the public input portion of the public hearing is closed. At the close of the public input portion, the City Council will direct the City Clerk, and/or their designee, to have all properly returned ballots counted, including those received during the public hearing. Tabulation of the returned ballots will commence after the close of the public input portion and the results are expected to be announced later in the City Council meeting on November 15, 2016. Based on the outcome of the ballot procedure, the City Council will consider appropriate action.

If you have any questions or need more information, please contact Luis Ojeda of the City of San Diego at (619) 236-6495 or via email [LOjeda@sandiego.gov](mailto:LOjeda@sandiego.gov) or visit <http://www.sandiego.gov/economic-development/about/maintenance.shtml>.

*This material is available in alternative formats upon request. To order information in an alternative format, or to arrange for a sign language or oral interpreter for the public hearing meeting, please call the City Clerk's office at least 5 working days prior to the meeting at (619) 533-4000 (voice) or (619) 236-7012 (TT).*

City Clerk/ LJMAD  
City of San Diego  
202 C Street, 2<sup>nd</sup> Floor, (MS -2A)  
San Diego, CA 92101

**OFFICIAL ASSESSMENT BALLOT**  
**LA JOLLA MAINTENANCE ASSESSMENT DISTRICT (LJMAD)**  
**BY THE CITY OF SAN DIEGO**

**Fill in appropriate boxes, sign, date, provide requested information, place in Ballot envelope, affix proper postage and return to the City Clerk.**

Owner <<Property Owner>>  
<<CO Property Owner>>  
Address <<Mailing Address>>  
<<City>>, <<State>> <<Zip>>

This ballot represents: <<\$Assessment>>  
Assessor Parcel Number: <<APN Format>>  
Property Address:<<Situs>>

**Yes, I support** the proposed La Jolla Maintenance Assessment District assessment in the estimated annual amount of <<\$Assessment>> for my property, subject to cost indexing of a maximum of 3% annually.

**No, I do not support** the proposed La Jolla Maintenance Assessment District assessment in the estimated annual amount of <<\$Assessment>> for my property, subject to cost indexing of a maximum of 3% annually.

**If property owners approve the LJMAD please select one of the following entities that you would prefer manage the Services of the LJMAD:**

**City of San Diego**

**Owners Association** defined as a private non-profit entity which represents and whose membership includes, the assessed property owners or property owners' representatives in the LJMAD.

<<APNFORMAT>>

Signature \_\_\_\_\_  
Print Your Name \_\_\_\_\_  
Date \_\_\_\_\_

By signing above, I declare and confirm that the parcel indicated on this ballot is correct and declare, under penalty of perjury, that I am authorized to submit a ballot on behalf of the parcel listed above. **Only signed original ballots will be tabulated. Unsigned ballots or non original ballots will not be tabulated.**

<<APNFORMAT>>

## INSTRUCTIONS FOR THE COMPLETION AND RETURN OF OFFICIAL ASSESSMENT BALLOTS

This ballot may be completed by the persons or firms owning the property identified by assessor parcel number on this ballot. An explanation of who may complete the ballot on behalf of the recorded property owner is provided at the bottom of this Official Ballot. To be tabulated, completed ballots **MUST** be received before the end of the public input portion of the public hearing scheduled for **Tuesday, November 15, 2016 at 10:00 a.m. at the City of San Diego Council Chambers on the 12th Floor of the City Administration Building located at 202 C Street, San Diego California 92101.**

You are invited to attend the public hearing. If you are not attending the public hearing you may return your ballot in the following ways:

- 1) Mail your ballot to the address shown on the enclosed return envelope so that it is received on or before November 15, 2016 before the public hearing scheduled at 10:00 a.m. on November 15, 2016.
- 2) Deliver it to the City Clerk's office located at 202 C Street, 2nd Floor, San Diego California 92101, before the public hearing at 10:00 a.m. November 15, 2016.

Who May Complete This Official Ballot	Steps for Completing the Official Ballot
<ol style="list-style-type: none"> <li>1. If the property is owned by an individual, the individual may sign.</li> <li>2. If the property is held by a husband and wife, either may sign for both.</li> <li>3. If two or more persons own the property as tenants-in common or as joint tenants, any one tenant-in-common, or joint tenant may sign for all.</li> <li>4. If the property is owned by a corporation, the ballot may be signed for the corporation by any person authorized to or enter into contracts or by resolution of the corporation's Board of Directors.</li> <li>5. If the property is owned by another legal entity, the ballot may be signed by any person authorized by law to enter into contracts for the entity.</li> <li>6. If the property is owned by a public agency, the ballot may be signed by any person authorized by law to make enter into contracts for the agency or by resolution of the agency's Governing Board.</li> </ol>	<ol style="list-style-type: none"> <li>① Read the enclosed information about the proposed assessment. Verify that the owner name, address and parcel number listed on the ballot are correct. If they are incorrect, please call Luis Ojeda, Program Manager, Economic Development Department at (619) 236-6495.</li> <li>② Check "Yes" or "No" on the ballot on the back of this sheet. Also mark your preference for which entity, <b>the City of San Diego or an Owners Association</b>, you would prefer to manage the Services .</li> <li>③ Sign your name and write the date, in ink. <i>(Unsigned Ballots will not be counted. Only Original signed ballots will be counted, not photocopies or faxed copies.)</i></li> <li>④ Return the ballot in the envelope provided, affix the proper postage or deliver to: City Clerk's office 202 C Street, 2nd Floor (MS-2A) San Diego California 92101</li> <li>⑤ If you make a mistake in completing your ballot or wish to change or withdraw your ballot; please telephone Luis Ojeda, Economic Development Department, City of San Diego at (619) 236-6495.</li> </ol>

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