

ORDINANCE NO. 2468

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 17.07.010, 17.07.030 AND 17.07.040 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO OPEN SPACE DISTRICTS AND DECLARING THE URGENCY THEREOF

The City Council of the City of Chula Vista does ordain as follows:

SECTION I. That Section 17.07.010 of the Chula Vista Municipal Code is amended to read:

Section 17.07.010 Title for Citation.

The ordinance codified herein, consisting of Section 17.07.010 through 17.07.040 of the Chula Vista Municipal Code, may be cited as the "Chula Vista Open Space Procedural Ordinance."

SECTION II. That Section 17.07.030 of the Chula Vista Municipal Code is amended to read:

Section 17.07.030 Reserve Operating Fund.

Each Open Space District shall, upon creation, have added to the assessment an amount equivalent to one hundred percent of the estimated first year expenses. Each existing Open Space District shall annually have added to the assessment an amount equivalent to ten percent of the next year's estimated operating budget, so that after five years of generation there shall be accumulated a reserve of at least fifty percent of the next year's estimated operating budget. The amount of the accumulated reserve shall in no event exceed one hundred percent of the next year's estimated operating budget. The engineer's report and the Council's action shall not include in the annual levy an amount, for a reserve, in excess of the maximum one hundred percent reserve. After the reserve reached at least fifty percent, but not more than one hundred percent, it shall be maintained to provide necessary cash flow for operations for the first six months of each fiscal year and a reasonable buffer against large variations in annual assessments.

SECTION III. Section 17.07.040 of the Chula Vista Municipal Code is amended to read:

Section 17.07.040 Change to Streets and Highways Code.

The following is added to those items included in the definition of "Improvement" set forth in Streets and Highways Code Section 22525, as it may be amended from time to time:

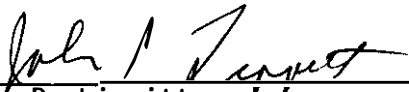
(h) Native plantings and open space areas, including natural drainage facilities.

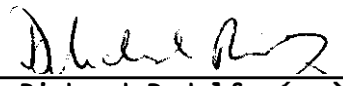
SECTION IV. Urgency--Effective Date.

This ordinance is necessary as an emergency measure for preserving the public peace, health, safety, and general welfare and shall take effect and be in full force immediately upon its adoption. The reasons for such urgency are that the annual levy of assessments for open space districts must be imposed by August 10 and there is insufficient time for an ordinance enacted in the normal course to be effective by that date. This ordinance will allow an increase in the reserve portion of the annual assessments, in order to provide a buffer against large variations between annual assessments, for the greater financial comfort of those required to pay.

Presented by

Approved as to form by

  
\_\_\_\_\_  
John P. Lippitt  
Director of Public Works


  
\_\_\_\_\_  
D. Richard Rudolf  
Assistant City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 9th day of July, 1991, by the following vote:

AYES:	Councilmembers:	Grasser Horton, Malcolm, Moore, Nader, Rindone
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

  
 \_\_\_\_\_  
 Tim Nader  
 Mayor


ATTEST:

  
 \_\_\_\_\_  
 Beverly A. Authelet, City Clerk

STATE OF CALIFORNIA    )  
 COUNTY OF SAN DIEGO    )    ss.  
 CITY OF CHULA VISTA    )

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2468 was adopted by urgency measure at a regular meeting of said City Council held on the 9th day of July, 1991.

Executed this 9th day of July, 1991.

  
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 Beverly A. Authelet, City Clerk