

RESOLUTION NO. R-250444

(R. 80-571)

OCT 22 1979

WHEREAS, by Resolution No. R-250443, the Council of
The City of San Diego approved the petition for the construction
and installation of certain public improvements on, in and
adjacent to the Carmel Valley Precise Plan, under the provisions
of the Improvement Act of 1913; and

WHEREAS, in said petition all interested property owners
requested, pursuant to Section 79 of the Charter of The City of
San Diego, that the law firm of F. MacKenzie Brown, Inc., be
retained as Special Bond Counsel and to perform the legal
services required for the construction and installation of certain
public improvements on, in and adjacent to the Carmel Valley
Precise Plan under the provisions of the Improvement Act of
1913; and

WHEREAS, in said petition all interested property owners
requested, pursuant to Section 79 of the Charter of The City of
San Diego, that Rick Engineering Company be appointed to perform
the engineering work required for the construction and installa-
tion of certain public improvements on, in and adjacent to the
Carmel Valley Precise Plan under the provisions of the Improvement
Act of 1913; and

WHEREAS, in said petition all interested property owners
agreed, pursuant to Section 79 of the Charter of The City of
San Diego, to hold The City of San Diego free and harmless of
and from any and all liability or cost or expense if for any
reason the construction and installation of certain public

improvements on, in and adjacent to the Carmel Valley Precise Plan are abandoned by the Council or the assessments are not levied or collected; and

WHEREAS, in a letter dated September 7, 1979, on file in the office of the City Clerk as Document No. D-02197-2, Rick Engineering Company agreed, pursuant to the provisions of Section 79 of the Charter of The City of San Diego, to hold The City of San Diego free and harmless of and from any and all liability or cost or expense if for any reason the construction and installation of certain public improvements on, in and adjacent to the Carmel Valley Precise Plan are abandoned by the Council or the assessments are not levied or collected; and

WHEREAS, in a letter dated September 12, 1979, on file in the office of the City Clerk as Document No. D-02197-3, the law firm of F. MacKenzie Brown, Inc., agreed, pursuant to the provisions of Section 79 of the Charter of The City of San Diego, to hold the City of San Diego free and harmless of and from any and all liability or cost or expense if for any reason construction and installation of certain public improvements on, in and adjacent to the Carmel Valley Precise Plan are abandoned by the Council or the assessments are not levied or collected; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the engineering firm of Rick Engineering Company be and the same is hereby appointed as Engineer of Work for the purpose of performing all engineering services for the construction of certain public improvements on, in and adjacent to the Carmel

Valley Precise Plan, including the preparation of plans, drawings, typical cross-sections, profiles and specifications for the work, together with the estimates of the costs and expenses of such work, together with construction surveying under the provisions of the Improvement Act of 1913, pursuant to the terms and conditions set forth in the letter of Rick Engineering Company dated September 7, 1979, on file in the office of the City Clerk as Document No. D-02197-2.

BE IT FURTHER RESOLVED, that the law firm of F. MacKenzie Brown, Inc., be and the same is hereby employed and appointed as Special Bond Counsel for the purpose of performing the legal services required for said proceedings under the Improvement Act of 1913 pursuant to the terms and conditions set forth in the letter of F. MacKenzie Brown, Inc., of September 12, 1979, on file in the office of the City Clerk as Document No. D02197-3.

BE IT FURTHER RESOLVED, that in the event the proposed proceedings fail to materialize or are abandoned before an assessment has been levied and collected, or the assessments are not levied or collected, The City of San Diego shall not be liable for the payment of any costs or expenses in connection with the employment of Rick Engineering Company or F. MacKenzie Brown, Inc., or either of them.

APPROVED: JOHN W. WITT, City Attorney

By 
Janis Sammartino Gardner
Deputy City Attorney

JSG:lco:831
9/20/79
Or. Dept.:E&D

R- 250444

OCT 22 1979

Passed and adopted by the Council of The City of San Diego on
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Rita Anderson*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-250444 Adopted OCT 22 1979