

RESOLUTION NO. R-251787

MAY 12 1980  
(R. 80-1957)

WHEREAS, by Resolution No. R-251786, 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 Miramar Ranch North Community Planning Area, under the provisions of the Street Improvement Act of 1913, and the Improvement Bond Act of 1915; 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 Miramar Ranch North Community Planning Area under the provisions of the Street Improvement Act of 1913, and the Improvement Bond Act of 1915; 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 installation of certain public improvements, on and adjacent to the Miramar Ranch North Community Planning Area under the provisions of the Street Improvement Act of 1913; and

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WHEREAS, in said petition all interested property owners requested, pursuant to Section 79 of the Charter of The City of San Diego, that Willdan Associates be appointed to perform the assessment engineering work required for certain public improvements on, in and adjacent to the Miramar Ranch North Community Planning Area under the provisions of the Street Improvement Act of 1913, and the Improvement Bond Act of 1915; 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 Miramar Ranch North Community Planning Area are abandoned by the Council or the assessments are not levied or collected; and

WHEREAS, in a letter dated April 10, 1980, on file in the office of the City Clerk as Document No. D-0221A-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 Miramar Ranch North Community Planning Area are abandoned by the Council or the assessments are not levied or collected; and

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WHEREAS, in a letter dated January 25, 1980, on file in the office of the City Clerk as Document No. D-02214-3, 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 the construction and installation of certain public improvements on, in and adjacent to the Miramar Ranch North Community Planning Area are abandoned by the Council or the assessments are not levied or collected; and

WHEREAS, in a letter dated February 14, 1980, on file in the office of the City Clerk as Document No. D-02214-4, Willdan Associates 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 Miramar Ranch North Community Planning Area 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, as follows:

1. 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 Miramar Ranch North Community Planning Area, 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 Street Improvement Act of 1913, pursuant to the terms and conditions set forth in the letter of Rick Engineering Company dated April 10, 1980, on file in the office of the City Clerk as Document No. D-92214-2.

2. That the engineering firm of Willdan Associates be and the same is hereby appointed for the purpose of performing all assessment engineering services for the construction of certain public improvements on, in and adjacent to the Miramar Ranch North Community Planning Area including preparation of Engineer's Report, Assessment Diagram, Roll and Spread, Debt Limit Report, Bond Prospectus, Legal Notices together with any other such actions necessary to comply with the provisions of the Street Improvement Act of 1913 and the Improvement Bond Act of 1915 pursuant to the terms and conditions as set forth in the letter of Willdan Associates dated February 14, 1980, on file in the office of the City Clerk as Document No. D-92214-4.

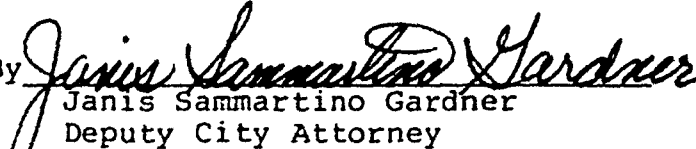
3. That the law firm of F. MacKenzie Brown, Inc., be and the same is hereby employed and appointed as Special Bond Counsel for the purpose of performing the legal services required for said proceedings under the Street Improvement Act of 1913 and the Improvement Bond Act of 1915 pursuant to the terms and conditions set forth in the letter of F. MacKenzie Brown, Inc.,

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of January 25, 1980, on file in the office of the City Clerk as Document No. D-02214-3.

4. That in the event the proposed proceedings fail to materialize or are abandoned before the assessment has been levied and 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, F. MacKenzie Brown, Inc., or Willdan Associates, or either of them.

APPROVED: JOHN W. WITT, City Attorney

By   
Janis Sammartino Gardner  
Deputy City Attorney

JSG:lco:832  
4/30/80  
Or. Dept.: E&D

MAY 12 1980

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<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.

By Barbara Berridge, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-251787 Adopted MAY 12 1980