

RESOLUTION OF INTENTION NO. R-252097 (R. 80-2397)

TO LEVY AND COLLECT ASSESSMENT ON THE  
SCRIPPS MIRAMAR OPEN SPACE MAINTENANCE DISTRICT NO. 1

**JUN 23 1980**

BE IT RESOLVED, that the Council of The City of San Diego proposes and intends to levy and collect open space maintenance district assessments to pay the costs of maintenance of all trees, shrubs, plants, etc., planted or placed within the open space areas as designated, located within the boundaries of the district, hereinafter described, in said City under the provisions of the San Diego Maintenance District Procedural Ordinance of 1975, authorized by Article XIII, Section 17, of the California Constitution and provided for in Sections 65.0201 through 65.0222 of the San Diego Municipal Code. Such maintenance being particularly described as follows:

Section 1.

DESCRIPTION OF MAINTENANCE

The proposed maintenance consists in general of the following:

- a. Irrigation
- b. Fertilization
- c. Removal of weeds, trash and litter
- d. Pruning of trees and shrubs
- e. Replacement of dead or diseased trees and shrubs
- f. Repair of equipment and facilities
- g. Weed abatement
- h. Trail maintenance

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The maintenance shall be for a period commencing on July 1, 1980, and ending on June 30, 1981.

Section 2.

DESCRIPTION OF MAINTENANCE DISTRICT

The expenses of the contemplated maintenance hereinbefore mentioned are made chargeable upon the district hereinafter described, and the Council does declare said district to be the district benefitted by the maintenance, and to be assessed to pay the costs and expenses thereof. The district is described as follows, to wit:

All that real property in the said City of San Diego included within the exterior boundary lines of the map designated as "Scripps Miramar Open Space Maintenance District No. 1," consisting of 21 sheets and filed in the office of the City Clerk under Document No. M-00045-1, excepting therefrom all public streets, roads, alleys, avenues and highways. Reference is hereby made to the map for a further full and more particular description of the maintenance district and the map so on file shall govern for all details as to the extent of the maintenance district.

Section 3.

ASSESSMENT OF COST AND EXPENSE

It is proposed to assess the total amount of the maintenance costs of the district, plus the incidental expenses thereto, less a City contribution of \$100 per acre of open space lands to be maintained, and \$600 per center island to be maintained, to

all the real property within the district in conformance with the provisions of the Sa Diego Maintenance District Procedural Ordinance of 1975 and in proportion to the estimated benefits from the maintenance to be received by the individual parcels of real property.

The Council may order a portion of the costs of maintenance to be paid by the City from appropriate funds.

Estimated Cost of Maintenance	\$126,741
Estimated Cost of Improvement	-0-
Estimated Cost of Incidentals	<u>17,000</u>
Estimated Total Cost	\$143,741
Carryover	32,211
City Contribution	<u>16,600</u>
Assessed to District	\$ 94,930

A statement of the proposed assessments levied against the several lots or parcels of land as shown on the map referred to in Section 2 above, is on file in the office of the Street Superintendent for public inspection. Assessments will be levied pursuant to Chapter VI, Article 5, Division 2 of the San Diego Municipal Code.

Section 4.

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that on July 29, 1980 at 2:00 p.m. in the Council Chambers of the City Administration Building, The Charles C. Dail Concourse, 202 C Street, in the City of San Diego, California, are the day, hour and place for the hearing when any person interested may object to the proposed maintenance or the amount of the assessment. Failure to make objections at that time shall be deemed to be a waiver of all objections and shall operate as a bar for any claim for damages.

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Such protest, if any, must be in writing and must contain a description of the property in which each signer thereof is interested, sufficient to identify the same, and shall be delivered to and filed with the City Clerk at a time no later than the hour set for the hearing.

Persons desiring to make inquiries regarding these proceedings are hereby advised that they may contact the Street Superintendent at The City Operations Building, 1222 First Avenue, San Diego, California 92101 or telephone (714) 236-6010.


Section 5.

PUBLICATION OF NOTICE

The City Clerk is directed to cause a notice, as required in Section 225500 et seq. of the California Streets and Highways Code, to be published at least ten days before the date of the hearing in the City's Official Newspaper.

The City Clerk is directed to mail a copy of such notice, postage prepaid, to all property owners specified in Section 65.0216 of the San Diego Municipal Code, whose names and addresses appear on the last equalized County Assessment Roll, all in the manner provided for in the San Diego Maintenance District Procedural Ordinance of 1975.

APPROVED: JOHN W. WITT, City Attorney

By   
Janis Sammartino Gardner  
Deputy City Attorney

JSG:lco:717.1  
6/6/80  
Or.Dept.:E&D

# CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

## CERTIFICATION OF UNALLOTTED BALANCE

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 14,800.00 Fund Environmental Growth Fund  
General Fund

Purpose Authorize transfer and expenditure of funds for Scripps, Miramar open Space Maintenance District No. 1. NOTE: Contingent upon adoption of 1981 Appropriation Ordinance.

*W. B. Sage*  
Auditor and Comptroller of  
The City of San Diego, Calif.

Date June 3, 19 80

By *Don Mumm*

## CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to exceed \$ \_\_\_\_\_

Dated \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Auditor and Comptroller of  
The City of San Diego, Calif.

BY \_\_\_\_\_

* FUND/ DEPT.	ORG. NO.	ACCOUNT	JOB ORDER	BENEFITING DEPARTMENT
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PURPOSE \_\_\_\_\_

VENDOR \_\_\_\_\_

\* USE FUND NO. ONLY WHEN USING GEN. LEDGER & REV. ACCTS., OTHERWISE USE DEPT. NO.

Passed and adopted by the Council of The City of San Diego on JUN 23 1980,  
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Ellen Boyard, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-252097</u>	Adopted <u>JUN 23 1980</u>