

RESOLUTION NO. R- 253235

(R. 81-929)

RESOLUTION OF THE COUNCIL OF THE CITY
OF SAN DIEGO, CALIFORNIA, APPOINTING AND
RETAINING SPECIAL BOND COUNSEL, ENGINEER
OF THE WORK, AND ASSESSMENT ENGINEER
PURSUANT TO SECTION 79 OF CITY CHARTER

DEC 8 1980

(Rio Vista Center Improvement District No. 1)

WHEREAS, on DEC 8 1980 the Council adopted Reso-
lution No. R-253234, approving a Petition which is on
file in the office of the City Clerk as Document No.

D-02228-1 for the construction and installation of certain
public improvements as referenced therein, under the pro-
visions of the Improvement Act of 1913; and

WHEREAS, in the Petition the property owners requested
that Richard A. Burt, Esq., of Gray, Cary, Ames & Frye, be
retained as special bond counsel and to perform certain
legal services required for the proceedings; and

WHEREAS, in the Petition the property owners requested
that Bement-Dainwood-Sturgeon be retained to perform the
design engineering and assessment engineering services in
connection with the proceedings; and

WHEREAS, in the Petition the property owners agreed,
pursuant to Section 79 of the Charter of The City of San
Diego, to indemnify and hold The City of San Diego and all

02372

officials, employees, and bodies thereof, free and harmless of and from any and all claims, liability or cost or expense if for any reason the proceedings are abandoned or the assessments are not levied or collected; and

WHEREAS, by letter dated August 1, 1980, on file in the office of the City Clerk as Document No. D-02228-2 Richard A. Burt, of the law firm of Gray, Cary, Ames & Frye, agreed, pursuant to the provisions of Section 79 of the City Charter, to indemnify and hold The City of San Diego and all officials, employees and bodies thereof, free and harmless of and from any and all claims, liability or cost or expense if for any reason the proceedings are abandoned or the assessments are not levied or collected; and

WHEREAS, by letter dated July 7, 1980 on file in the office of the City Clerk as Document No. D-02228-3 Bement-Dainwood-Sturgeon agreed, pursuant to the provisions of Section 79 of the City Charter to indemnify and hold The City of San Diego and all officials, employees and bodies thereof, free and harmless of and from any and all claims, liability or cost or expense if for any reason the proceedings are abandoned or the assessments are not levied or collected; NOW THEREFORE

BE IT RESOLVED, that Richard A. Burt, of the firm of Gray, Cary, Ames & Frye, be and he is hereby retained and

R-253235
02373

appointed as Special Bond Counsel to perform the legal services required for the proceedings referenced in the Petition pursuant to the terms and conditions set forth in the letter of Richard A. Burt dated August 1, 1980 on file in the office of the City Clerk as Document No. D-02228-2

BE IT FURTHER RESOLVED, that Bement-Dainwood-Sturgeon be and the same is hereby retained and appointed as engineer of the work and as assessment engineer for the purpose of performing certain design and assessment engineering services required for the proceedings referenced in the Petition pursuant to the terms and conditions set forth in the letter of Bement-Dainwood-Sturgeon dated July 7, 1980, on file in the office of the City Clerk as Document No. D-02228-3

BE IT FURTHER RESOLVED, that in the event the proceedings are abandoned 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 Richard A. Burt or Bement-Dainwood-Sturgeon.

APPROVED: JOHN W. WITT, City Attorney

By: James Sammartino Gardner
Deputy City Attorney

R- 253235

02374

Passed and adopted by the Council of The City of San Diego on DEC 8 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Vacant

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 Bernidge* Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-253235 Adopted DEC 8 1980