

RESOLUTION OF INTENTION NO. R-254365

(R-81-2239)

TO LEVY AND COLLECT ASSESSMENT ON THE
DOWNTOWN STREET TREE MAINTENANCE DISTRICT

JUN 8 1981

BE IT RESOLVED, that the Council of The City of San Diego proposes and intends to levy and collect street tree maintenance district assessments to pay the costs of maintenance of all trees, shrubs, plants, etc., planted or placed within the public rights-of-way or public easements 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 street tree maintenance consists in general of the following;

- a. Irrigation, fertilization and shaping of trees and shrubs;
- b. Removal of weeds, trash and litter from planter boxes and tree wells;
- c. Replacement of dead or diseased trees and shrubs;
- d. Repair of equipment and facilities;
- e. Pest control.

The maintenance to be performed in the Centre City Way Zone consists of:

- a. Periodic sweeping and scrubbing of sidewalk areas;
- b. Cleaning and maintenance of street furniture, drinking fountains, kiosks, and trash receptacles;
- c. Repair and maintenance of irrigation system and ornamental fountains;
- d. Replacement of annual plants;

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- e. Irrigation, fertilization and pruning of shrubs and plants in planter areas;
- f. Energy costs for landscape lighting.

The maintenance shall be for a period commencing on July 1, 1981 and ending on June 30, 1982.

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 benefited 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 the Downtown Street Tree Maintenance District and consisting of eleven sheets and filed in the office of the City Clerk under Document No. 768244, 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. It is proposed that additional territory be annexed to and territory be deleted from the district as described in the Engineer's Report.

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, to all the real property within the district in conformance with the provisions of the San 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.

Downtown Trees	\$164,774
Centre City Way	71,618
Incidentals	23,639
Reserve	<u>23,639</u>
Total	\$283,670
Less Interest Accrued	7,000
Less Carryover	<u>64,348</u>
Total Assessed to District	\$212,322

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, 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.

SPECIAL ZONES

It is proposed to create, within the overall maintenance district, a special zone as shown on the assessment diagram, said special zone containing facilities which require special maintenance in addition to that provided generally by the district. That property shown within the Special Zone has been determined to receive increased benefit from said special maintenance and the assessment levied within the special zone is commensurate with that benefit.

Section 5.

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that on Tuesday, July 21, 1981 at 9:00 a.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.

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 6.

PUBLICATION OF NOTICE

The City Clerk is directed to cause a notice, as required in Section 22550 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 Jaris Sammartino Gardner

JUN 8 1981

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"/>
Susan Golding	<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"/>
Dick Murphy	<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 *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-254365 Adopted JUN 8 1981