

(R-84-2223)

RESOLUTION NUMBER R- 261011

Adopted on JUN 25 1984

RESOLUTION OF INTENTION TO LEVY AND COLLECT  
ASSESSMENT ON RANCHO BERNARDO LANDSCAPE  
MAINTENANCE DISTRICT.

BE IT RESOLVED, that the Council of The City of San Diego proposes and intends to levy and collect assessments to pay the cost of maintenance of all trees, plants, etc, planted or placed within the areas as designated, located or placed within the boundaries of the district, in said City under the provisions of the San Diego Maintenance District Procedural Ordinance of 1975, Sections 65.0201 through 65.0222 of the San Diego Municipal Code, the Landscaping and Lighting Act of 1972, California Streets and Highways Code section 22500, et seq. Such maintenance being more particularly described as follows:

Section 1

DESCRIPTION OF MAINTENANCE

The proposed street median and right-of-way 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; and
- g. Weed abatement.

00309

The maintenance shall be for a period commencing July 1, 1984 and ending on June 30, 1985.

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:

All that real property in said City of San Diego included within the exterior boundary lines of the map designated as the "Rancho Bernardo Landscape Maintenance District" consisting of 141 sheets and filed in the office of the City Clerk under Document No. 768959, excepting therefrom all public streets, public lands, roads, alleys, avenues and highways. Reference is hereby made to the map for a further full and more particular description of the maintenance district on 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 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 parcel of real property.

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

Contractual Maintenance	\$40,230
Water & Electric Service	3,198
Incidentals	<u>16,305</u>
TOTAL EXPENSES	\$59,733
Reserve	<u>5,973</u>
TOTAL	\$65,706
Less Carryover & Interest	5,020
Less City Contribution	<u>7,437</u>
ASSESSED TO DISTRICT	\$53,249

A state 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 July 10, 1984 at 10:00 a.m. in the Council Chambers of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California, is 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 the time will 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 (619) 236-6010.

Section 5

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 and form provided for in the San Diego Maintenance District Procedural Ordinance of 1975.

APPROVED: John W. Witt, City Attorney

By   
John K. Riess, Deputy

JKR:mem:228  
6/11/84:E&D  
R-84-2223

116a

Passed and adopted by the Council of The City of San Diego on JUN 25 1984,  
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"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By Barbara Baxter, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-261011 Adopted JUN 25 1984

RECEIVED  
CITY CLERK'S OFFICE  
1984 JUN 13 AM 11:08  
SAN DIEGO, CALIF.

02401

RECEIVED  
CITY CLERK'S OFFICE

CERTIFICATE OF PUBLICATION

1984 JUN 29 PM 1:47

SAN DIEGO, CALIF.

CITY OF SAN DIEGO  
ATTN: BARBARA BAXTER  
202 C Street, 12th Floor  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

RESOLUTION NO. R-261011

**RESOLUTION NO. R-261011**  
**RESOLUTION OF INTENTION TO LEVY AND COLLECT ASSESSMENT ON RANCHO BERNARDO LANDSCAPE MAINTENANCE DISTRICT.**  
 BE IT RESOLVED, that the Council of The City of San Diego proposes and intends to levy and collect assessments to pay the cost of maintenance of all trees, plants, etc. planted or placed within the areas as designated, located or placed within the boundaries of the district, in said City under the provisions of the San Diego Maintenance District Procedural Ordinance of 1975, Sections 65.0201 through 65.0222 of the San Diego Municipal Code, the Landscaping and Lighting Act of 1972, California Streets and Highways Code section 22500, et seq. such maintenance being more particularly described as follows:

**Section 1**  
**DESCRIPTION OF MAINTENANCE**  
 The proposed street median and right-of-way 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; and
- g. Weed abatement.

The maintenance shall be for a period commencing July 1, 1984 and ending on June 30, 1985.

**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:

All that real property in said City of San Diego included within the exterior boundary lines of the map designated as the "Rancho Bernardo Landscape Maintenance District" consisting of 141 sheets and filed in the office of the City Clerk under Document No. 788909, excepting therefrom all public streets, public lands, roads, alleys, avenues and highways. Reference is hereby made to the map for a further full and more particular description of the maintenance district on the map, so on file, shall govern for all details as to the extent of the maintenance district.

I, Yvonne Sanchez, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

RESOLUTION NO. R-261011

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

June 28, 1984

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 28th day of June, 1984.

20 1/4" X 8.87 = 179.62

Yvonne Sanchez  
(Signature) 02105  
Page 1 of 2

Section 3  
ASSESSMENT OF COST AND EXPENSE

It is proposed to assess the total amount of maintenance costs for 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 parcel of real property.

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

Contractual Maintenance	\$40,230
Water & Electric Service	3,188
Incidentals	18,305
TOTAL EXPENSES	\$61,723
Reserve	5,973
TOTAL	\$67,696
Less Carryover & Interest	5,020
Less City Contribution	7,437
ASSESSED TO DISTRICT	\$55,249

A state 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 6, Division 2 of the San Diego Municipal Code.

Section 4  
TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that July 10, 1984 at 10:00 a.m. in the Council Chambers of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California, is 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 the time will 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 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 (619) 236-8010.

Section 5  
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 85.0216 of the San Diego Municipal Code, whose names and addresses appear on the last equalized County Assessment Roll, all in the manner and form provided for in the San Diego Maintenance District Procedural Ordinance of 1975.

Passed and adopted by the Council of The City of San Diego on JUNE 28, 1984 by the following votes:

YEAS: Mitchell, Cleator, Jones, Struikema, Gotch, Murphy, Martinez, Hedgecock

NAYS: None

NOT PRESENT: McCall

AUTHENTICATED BY:

ROGER HEDGECOCK,

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California

By BARBARA BAXTER, Deputy

Published June 28, 1984 60-8886