

(R-84-2265)

RESOLUTION NUMBER R- 261129

Adopted on JUL 9 1984

RESOLUTION OF INTENTION TO ANNEX TERRITORY TO THE DISTRICT AND TO LEVY AND COLLECT ASSESSMENT ON DOWNTOWN STREET TREE 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, fertilization and shaping of trees and shrubs.
- b. Removal of weeds, trash and litter from planters.
- c. Replacement of dead or diseased trees and shrubs.
- d. Repair of equipment and facilities.
- e. Pest Control.

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 "Downtown Street Tree Maintenance District" consisting of 12 pages and filed in the office of the City Clerk under Document No. 768972, 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.

Downtown Trees	\$152,566
Center City Way	69,640
Sidewalk Sweeping	18,000
Marina	0
Incidentals	<u>31,270</u>
TOTAL EXPENSES	\$271,476
Reserves	<u>73,173</u>
TOTAL	\$344,649
Less Carryover & Interest	<u>177,639</u>
ASSESSED TO DISTRICT	\$167,010

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 on July 31, 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:228.1
6/25/84
Or.Dept:E&D
R-84-2265
Form=r.ilca

JUL 9 1984

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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Jane A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-261129 Adopted JUL 9 1984

00260

RECEIVED
CITY CLERK'S OFFICE
1984 JUN 27 PM 2:00
SAN DIEGO, CALIF.

00260

#110 (A)
(A - b)

RECEIVED
CITY CLERK'S OFFICE

CERTIFICATE OF PUBLICATION

1984 JUL 18 AM 11:58

SAN DIEGO, CALIF.

CITY OF SAN DIEGO
ATTN: JAN JOHNSON
202 C Street, 12th Floor
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

RESOLUTION NO. R-261129

RESOLUTION NO. R-261129
RESOLUTION OF INTENTION TO ANNEX TERRITORY TO THE DISTRICT AND TO LEVY AND COLLECT ASSESSMENT ON DOWNTOWN STREET TREE 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 area 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 92.001 through 92.022 of the San Diego Municipal Code, the Landscaping and Lighting Act of 1972, California Streets and Highways Code Section 2200, 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, fertilization and shaping of trees and shrubs.
 b. Removal of weeds, trash and litter from planters.
 c. Replacement of dead or diseased trees and shrubs.
 d. Repair of equipment and facilities.
 e. Pest Control.
 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 benefited 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 "Downtown Street Tree Maintenance District" consisting of 12 pages and filed in the office of the City Clerk under Document No. 70072, 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, Carrie Gedeon, 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-261129

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:

July 16, 1984

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

Dated at San Diego, California this 16th day of July, 1984.

20" x 8.87 = 177.40

Carrie Gedeon
(Signature) 00261

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.

Downtown Trees	\$182,568
Center City Way	69,640
Sidewalk Sweeping	18,000
Marina	0
Incidentals	31,270
TOTAL EXPENSES	\$271,478
Reserves	73,173
TOTAL	\$344,651
Less Carryover & Interest	177,839
ASSESSED TO DISTRICT	\$166,812

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 on July 31, 1984 at 10:30 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) 238-8010.

Section 5

PUBLICATION OF NOTICE

The City Clerk is directed to cause a notice, as required in Section 22580, 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 65.0218 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 JULY 9, 1984, by the following vote:

YEAS: Mitchell, Cleator, McCall, Jones, Sirukama, Gotch, Murphy, Martinez, Hedgecock.

NAYS: None.

NOT PRESENT: None.

AUTHENTICATED BY:

ROGER HEDGECOCK,

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California.

(SEAL)

By JUNE A. BLACKNELL, Deputy.

Publish July 16, 1984

60-7391