

(R-90-1800)

RESOLUTION NUMBER R- 275724

ADOPTED ON MAY 21 1990

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, PASSING ON THE "REPORT" OF THE ENGINEER, GIVING PRELIMINARY APPROVAL, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING.

(Assessment District No. 4036
[International Business Center])

WHEREAS, the City Council of The City of San Diego, California, has instituted proceedings for the acquisition of certain public works of improvement and appurtenances under provisions of the "Municipal Improvement Act of 1913," being Division 12 of the Streets and Highways Code of the State of California, in a special assessment district known and designated as ASSESSMENT DISTRICT NO. 4036 (INTERNATIONAL BUSINESS CENTER) (hereinafter referred to as the "Assessment District"); and

WHEREAS, there has been prepared and filed with the legislative body a "Report" provided for in Sections 10203 and 10204 of the Streets and Highways Code of the State of California, and this "Report" has been presented to said Council for its consideration; and

WHEREAS, a resolution of intention for this improvement was previously adopted by the legislative body; and the "Report" as now presented shall stand as the "Report" for the purpose of subsequent proceedings hereunder; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of The City of San Diego, as follows:

1. That the above recitals are all true and correct.
2. That the "Report" of the Engineer referred to hereinabove, Document No. D-2275-9, is considered adopted, passed upon, and preliminarily approved, as follows:

A. That the plans and specifications for the proposed improvements to be made, contained in said "Report" be, and they are hereby preliminarily approved and adopted.

B. That the Engineer's estimate of the itemized and total costs and expenses of said "as-built" acquisition, where necessary, and improvements, and of the incidental expenses in connection therewith, contained in said "Report," be, and each of them are hereby preliminarily approved and adopted.

C. That the diagram showing the Assessment District referred to and described in said resolution of intention, and also the boundaries and dimensions of the respective subdivisions of land within said Assessment District, as the same existed at the time of the passage of said resolution of intention, each of which subdivisions have been given a separate number upon said diagram, as contained in said "Report," be and it is hereby preliminarily approved and adopted.

D. That the proposed assessment upon the several subdivisions of land in said Assessment District, in proportion to the estimated benefits to be received by such subdivisions, respectively, from said acquisition and improvements, and of the incidental expenses thereof, as contained in said "Report," be and they are hereby preliminarily approved and adopted.

E. That the maps and descriptions of the lands and easements to be acquired, as contained in said "Report," be and the same are hereby preliminarily approved.

F. That said "Report" shall stand as the Engineer's "Report" for the purpose of all subsequent proceedings had pursuant to said resolution of intention.

3. NOTICE IS HEREBY GIVEN, that on Tuesday, the 26th day of June, 1990 at the hour of 10:00 o'clock a.m., in the regular meeting place of this legislative body, being the Council Chambers, City Administration Building, 202 "C" Street, San Diego, California, any and all persons having any objections to the proposed acquisition, or assessment, or extent of the Assessment District, or to the proposed grades, may appear and show cause why said work should not be acquired in accordance with the resolution of intention and the "Report" of the Engineer. Protests must be in writing and must be delivered at or before the time set for the public hearing.

4. That the City Clerk is hereby directed to give notice of said public hearing by causing to be conspicuously posted on all open streets within the Assessment District, not more than three hundred (300) feet apart on each street so posted, but not less than three (3) in all, notice of the passage of the resolution of intention and of this resolution, all in accordance with the provisions of said Division 12.

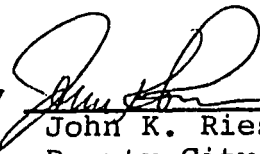
5. That the City Clerk is hereby directed to give notice of said public hearing and of the passage of the resolution of intention and this resolution by causing such notice to be

published in accordance with Section 6066 of the Government Code, in the newspaper previously designated for all publications as required by law and as necessary for completion of this Assessment District.

6. That the City Clerk is hereby directed to mail notice of said public hearing and the adoption of the resolution of intention and of the filing of the "Report" to all persons owning real property proposed to be assessed, whose names and addresses appear on the last equalized assessment roll for County taxes prior thereto, or as known to the City Clerk, and to all other persons as prescribed in accordance with the provisions of said Division 12.

7. That the City Clerk is hereby further directed to file a copy of the proposed boundary map in the office of the County Recorder within fifteen (15) days of the adoption of the proposed boundary map; said boundary map to be in the manner and form as set forth in Division 4.5 of the Streets and Highways Code of the State of California.

APPROVED: John W. Witt, City Attorney

By 
John K. Riess
Deputy City Attorney

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MAY 21 1990

Passed and adopted by the Council of The City of San Diego on....., by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R 275724** Adopted **MAY 21 1990**

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CITY CLERKS OFFICE
SAN DIEGO, CA

CERTIFICATE OF PUBLICATION

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CITY CLERK'S OFFICE
CITY ADM. BLDG., 2ND FLOOR
SAN DIEGO, CA. 92101

IN THE MATTER OF

NO.

RESOLUTION OF INTENTION TO LEBY AND COLLECT ASSESSMENT OF
GASLAMP QUARTER LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT.

RESOLUTION NUMBER R-275725

RESOLUTION OF INTENTION TO LEBY AND COLLECT
ASSESSMENT ON GASLAMP QUARTER LANDSCAPE AND
LIGHTING MAINTENANCE DISTRICT.

BE IT RESOLVED, by the Council of The City of San Diego, that this Council proposes and intends to levy and collect assessments to pay the cost of future maintenance of all trees, plants, etc., planted or placed within the open space areas as designated, located 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 65.0220 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 maintenance to be performed within the district is provided in two service levels:

- a. Landscape maintenance including irrigation, fertilization and shaping of trees and shrubs, removal of weeds, trash and litter from plant boxes and tree wells.
- b. Complete sweeping, trash removal, gum and stain removal, and continuous litter control (7 days a week).
- c. Mechanical scrubbing of sidewalks (every two months).
- d. Cleaning and repair of sidewalk furniture, tiles, drinking fountains, kiosks and trash receptacles.
- e. Cleaning, including touch-up painting, of light standards.
- f. Continuous litter control (7 days a week).

The lower level of services referred to as a miniservice consist of:

- a. Sidewalk sweeping.
 - b. Litter control.
 - c. Emptying of trash receptacles on three days a week basis.
- The maintenance shall be for a period of one year, terminating on June 30, 1991.

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 "Gaslamp Quarter Landscape and Lighting Maintenance District" consisting of two (2) pages and filed in the office of the City Clerk under Document No. M-209-1, 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, less a City contribution of \$13,000 for safety lighting at the street intersections, 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	\$45,200
Personnel	211,998
Utilities	48,200
Incidentals	130,711
Total Expenses	\$436,107
Reserve	77,145
Total	\$513,252
Less Carry-over & Interest	197,500
Less City Contribution	13,000

THOMAS D. KELLEHER

I, _____, 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

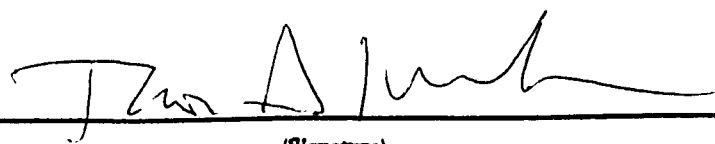
RESOLUTION NUMBER R-275725

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 4

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

Dated at San Diego, California this 4 day of JUNE, 19 90



(Signature)

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Assessed to District \$302,752
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 3, 1990 at 2:00 p.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) 238-6010.

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 65.0218 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 MAY 21 1990 by the following vote:
YEAS: Wolfshelmer, Roberts, Hartley, Pratt, Bernhardt, Henderson, McCarty, Filner, O'Connor.
NAYS: None.

NOT PRESENT: None.
AUTHENTICATED BY:
MAUREEN O'CONNOR
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California
(SEAL)
By: ELLEN BOVARD, Deputy

Pub. June 4 183332

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