

RESOLUTION NUMBER R- 277937

ADOPTED ON MAY 20 1991

RESOLUTION OF INTENTION TO LEVY AND COLLECT
ASSESSMENTS ON BAY TERRACES LANDSCAPE
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 landscape 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 facilities

The maintenance shall be for a period of one year, terminating on June 30, 1992.

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 "Bay Terraces Landscape Maintenance District" consisting of five (5) pages and filed in the office of the City Clerk under Document No. 00229-1, 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 \$100 for open space lands to be maintained, 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.

	<u>Area 1</u>	<u>Area 5</u>	<u>Total</u>
Contractual Maintenance	\$ 15,550	\$ 4,163	\$ 19,713
Personnel	2,246	2,246	4,492
Utilities	2,650	0	2,650
Incidentals	<u>3,169</u>	<u>2,512</u>	<u>5,681*</u>
Total Expenses	\$ 23,615	\$ 8,921	\$ 32,536
Reserve	<u>1,500</u>	<u>3,050</u>	<u>4,550</u>
Total	\$ 25,115	\$ 11,971	\$ 37,086
Less Carry-over and Interest	4,810	2,590	7,400
Less City Contribution	<u>50</u>	<u>50</u>	<u>100</u>
Assessed to District	\$ 20,255	\$ 9,331	\$ 29,586

*Includes \$1,842 Assessment District Management Fee.

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 7-2-91 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 City Attorney

JKR:pev
05/03/91
Or.Dept:E&D
R-91-1895
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MAY 20 1991

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-277937* Adopted **MAY 20 1991**
 Number