

RESOLUTION NUMBER R- 283876

ADOPTED ON MAY 16 1994

RESOLUTION OF INTENTION TO LEVY AND COLLECT  
ASSESSMENTS ON FIRST SAN DIEGO RIVER  
IMPROVEMENT PROJECT (FSDRIP) 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:

1. River Channel
  - a. Revegetation and wildlife monitoring and reporting as required by State and Federal permits issued in conjunction with the FSDRIP project.
  - b. Dredging as indicated by river bottom soundings conducted a minimum of once every five (5) years.
  - c. General landscape maintenance, monitoring and revegetation as needed.

- d. Maintenance and repair of irrigation facilities as needed.
  - e. Restorative work in the event of bank washout, erosion or shoaling effecting the channel, the river-islands or the buffer zone.
  - f. Trash and debris clean up.
2. Buffer Zone
- a. General landscape maintenance, monitoring and revegetation as needed.
  - b. Maintenance and repair of irrigation facilities as needed.
  - c. Trash and litter control two (2) times per week.
  - d. Maintenance of picnic tables, benches and trash receptacles as needed.

The maintenance shall be for a period of one year, terminating on June 30, 1995.

## 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 "First San Diego River Improvement Project (FSDRIP) Landscape Maintenance District" consisting of four (4) pages and filed in the office of the City Clerk under Document No. M-326-1, 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, 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	\$ 333,500
Personnel	34,853
Utilities	47,700
Incidentals	<u>73,998</u>
Total Expenses	\$ 490,051
Reserve	<u>106,123</u>
Total	\$ 596,174
Less Carry-over & Interest	<u>(340,969)</u>
Assessed to District	\$ 255,205*

\* \$120,000 will be advanced to the district from the City's Environmental Growth Fund to cover the revenue shortfall due to certain properties having gone into bankruptcy proceedings.

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 JUN 21 1994 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

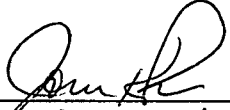
PUBLICATION OF NOTICE

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 forty-five (45) days before the date of the hearing in the City's official newspaper. The City

Corrected 5/20/94

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

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