

RESOLUTION NO. 1525

A RESOLUTION OF INTENTION TO ACQUIRE AND  
CONSTRUCT IMPROVEMENTS

FRESNO STREET SEWER ASSESSMENT DISTRICT

RESOLVED, by the City Council of the City of El Paso de Robles, California, that in its opinion the public interest and convenience require and that it is the intention of said Council to order the following acquisitions and improvements, to wit:

1. (a) The construction of sanitary sewer mains with Y's for sewer house laterals, together with standard manhole and lamphole frames and covers, and all appurtenances thereto, together with connection of said sanitary sewer mains to the facilities of the City, in Fresno Street from Merry Hill Road easterly 1020 feet, more or less; in Ridgeview Drive from Fresno Street northeasterly 100 feet, more or less; and in easements between Lots 13 and 14, 14 and 15, and 16 and 17 of a portion of Block 197, Tract 37.

(b) The acquisition of all lands and easements and the performance of all work auxiliary to any of the above which may be necessary to complete the same. Property owners are to connect their sewer laterals to the sewer main at the time of their need.

2. Whenever any public way is herein referred to as running between two public ways, or from or to any public way, the intersections of the public ways referred to are included to the extent that work shall be shown on the plans to be done therein.

3. Said streets and highways are more particularly shown in the records in the office of the County Recorder of San Luis Obispo County, California, and shall be shown upon the plans herein referred to and to be filed with the City Clerk of said City.

4. All of said work and improvements are to be constructed at the places and in the particular locations, of the forms, sizes, dimensions and materials, and at the lines, grades and elevations as shown and delineated upon the plans, profiles and specifications to be made therefor, as hereinafter provided.

5. There is to be excepted from the work herein described any of such work already done to line and grade and marked excepted or shown not to be done on said plans, profiles and specifications.

6. Notice is hereby given of the fact that in many cases said work and improvement will bring the finished work to a grade different from that formerly existing, and that to said extent said grades are hereby changed and that said work will be done to said changed grades.

7. Said Council does hereby adopt and establish as the official grades for said work the grades and elevations to be shown upon said plans, profiles and specifications. All such grades and elevations are to be in feet and decimals thereof with reference to the datum plane of the City of El Paso de Robles.

8. The descriptions of the acquisitions and improvements and the termini of the work contained in this Resolution are general in nature. All items of work do not necessarily extend for the full length of the description thereof. The plans and profiles of the work, and maps and descriptions, as contained in the Engineer's report, shall be controlling as to the correct and detailed description thereof.

9. Said contemplated acquisitions and improvements, in the opinion of said Council, are of more than local or ordinary public benefit, and the costs and expenses thereof are made chargeable upon an assessment district, the exterior boundaries of which district are the composite and consolidated area as more particularly shown on a map thereof on file in the office of the City Clerk to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in the proposed district and shall govern for all details as to the extent of the assessment district.

10. Said Council further declares that all public streets and highways within said assessment district in use in the performance of a public function as such shall be omitted from the assessment hereafter to be made to cover the costs and expenses of said acquisitions and improvements.

11. Notice is hereby given that serial bonds to represent the unpaid assessments, and bear interest at the rate of not to exceed seven percent (7%) per annum, will be issued hereunder in the manner provided in the Improvement Bond Act of 1915, Division 10 of the Streets and Highways Code, the last installment of which bonds shall mature not to exceed nine (9) years from the second day of July next succeeding ten (10) months from their date.

12. Except as herein otherwise provided for the issuance of bonds, all of said improvements shall be done pursuant to the provisions of the Municipal Improvement Act of 1913.

13. Reference is hereby made to proceedings had pursuant to Division 4 of the Streets and Highways Code on file in the office of the City Clerk.

14. Said proposed acquisitions and improvements are hereby referred to the Director of Public Works, being a competent person employed by said City for that purpose; and said Engineer is hereby directed to make and file with the City Clerk of said City a report in writing, presenting the following:

(a) Maps and descriptions of the lands and easements to be acquired;

(b) Plans and specifications of the proposed improvements to be made pursuant to this Resolution of Intention;

(c) Engineer's statement of the itemized and total estimated costs and expenses of said acquisitions and improvements and of the incidental expenses in connection therewith;

(d) Diagram showing the assessment district above referred to, and also the boundaries and dimensions of the respective subdivisions of land within said district as the same existed at the time of the passage of this Resolution of Intention, each of which subdivisions shall be given a separate number upon said diagram;

(e) A proposed assessment of the total amount of the costs and expenses of the proposed acquisitions and improvements upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said acquisitions and improvements, and of the expenses incidental thereto.

When any portion or percentage of the cost and expenses of the acquisitions and improvements is to be paid from sources other than assessments, the amount of such portion or percentage shall first be deducted from the total estimated cost and expenses of said acquisitions and improvements, and said assessment shall include only the remainder of the estimated cost and expenses. Said assessment shall refer to said subdivisions by their respective numbers as assigned pursuant to subdivision (d) of this Section.

15. Notice is hereby given that, in the opinion of the Council, the public interest will not be served by allowing the property owners to take the contract for the construction of the improvements and that, pursuant to Section 10502.4 of the Streets and Highways Code, no notice of award of contract shall be published.

16. If any excess shall be realized from the assessment it shall be used, in such amounts as the Council may determine, in accordance with the provisions of law for one or more of the following purposes:

(a) Transfer to the general fund of the City, provided that the amount of any such transfer shall not exceed the lesser of \$1,000 or 5% of the total amount expended from the improvement fund;

(b) As a credit upon the assessment and any supplemental assessment; or

(c) For the maintenance of the improvements.

17. The estimated cost of the project is \$15,950.00, of which the City will contribute the estimated amount of \$3,270.00, leaving an estimated balance to be assessed of \$12,680.00.

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I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the City Council of the City of El Paso de Robles, California, at a meeting thereof held on the 20th day of October, 1969, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmen:

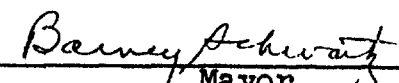
Barnhart, Blake, Neberman, Oeck and Schwartz

NOES, Councilmen: None

ABSENT, Councilmen: None

  
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City Clerk of the City of El Paso de Robles

APPROVED:

  
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Mayor