

RESOLUTION NO. 199489

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, DECLARING ITS INTENTION TO FORM AN IMPROVEMENT DISTRICT OF A PORTION OF THE CITY TO BE NAMED CITY OF SAN DIEGO PENASQUITOS SEWER DISTRICT, WHICH IN THE OPINION OF THE COUNCIL WILL BE BENEFITED BY THE ACQUISITION, CONSTRUCTION, COMPLETION AND FINANCING OF CERTAIN IMPROVEMENTS AND TO INCUR BONDED INDEBTEDNESS PAYABLE FROM TAXES LEVIED EXCLUSIVELY UPON THE TAXABLE LAND IN SUCH IMPROVEMENT DISTRICT BY THE ISSUANCE OF BONDS ON BEHALF OF SUCH IMPROVEMENT DISTRICT AND FIXING THE TIME AND PLACE OF HEARING ON SUCH FORMATION AND GIVING NOTICE THEREOF.

WHEREAS, the Council of The City of San Diego deems it necessary to form an improvement district within the City and to issue bonds which shall be special obligations of and be issued on behalf of such improvement district for the purposes set forth below and intends to form said improvement district and proceed under the San Diego Utility Improvement Districts Procedural Ordinance as set forth in Chapter VI, Article 1, Divisions 9 through 17, of the San Diego Municipal Code.

NOW, THEREFORE, the Council of The City of San Diego, DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. That it is deemed necessary to form an improvement district within the City to be named CITY OF SAN DIEGO PENASQUITOS SEWER DISTRICT and to issue bonds which shall be special obligations of and be issued on behalf of such improvement district for the purpose of acquiring, constructing, completing and financing works, improvements and facilities for the collection, treatment and disposal of sewage, including interceptor and trunk sewers, pumping plants, appurtenances and appurtenant works.

Section 2. That the estimated cost of the accomplishment of such purposes and the amount of bonds to be issued therefor, including incidental expenses (including, without limitation,

engineering, appraisal, legal fees, land and rights of way acquisition, reserve funds and expenses of financing the district and expenses of all proceedings for the authorization, issuance and sale of the bonds) is \$15,000,000.

Section 3. That the Council intends to form an improvement district of a portion of the City which, in the opinion of the Council, will be benefited by the acquisition, construction, completion and financing of certain improvements referred to in Section 1 hereof, and to incur bonded indebtedness by the issuance of bonds on behalf of such improvement district.

Section 4. That the bonds shall not be general obligations of the City, nor shall the credit of the City or the property or revenue of any public utility owned by the City be pledged for the payment thereof; and that the bonds shall be special obligations of and be issued on behalf of the improvement district; and that taxes for the payment of the interest on the bonds and the principal thereof shall be levied exclusively upon the taxable land in the improvement district.

Section 5. That the maximum interest rate which the bonds may bear, shall be 8% per year payable semiannually, except that interest for the first year may be payable at the end of said year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

Section 6. That this resolution (which is on file with the City Clerk as Resolution No. 199489) together with the general description of the proposed improvement (which is on file in the office of the City Clerk as Document No. 731286) and a map showing the exterior boundaries of the proposed improvement district with relation

to the territory immediately contiguous thereto and to the proposed improvement (which is on file with the City Clerk as Document No. 731287) are available for inspection by any person or persons interested. The map shall govern for all details as to the extent of the proposed improvement district.

Section 7. That May 7, 1970 at the hour of 9:30 A.M. on said day is hereby fixed as the time, and the Council Chamber, City Administration Building, 202 "C" Street, San Diego, California, is hereby fixed as the place for a hearing by the Council on the questions of the formation of said proposed improvement district, the extent thereof, the proposed improvement, the estimated cost and the amount of bonds to be issued. That at said time and place any person interested will be heard; and that any holder of title to taxable land within the proposed improvement district may file with the City Clerk at any time prior to the time set for the hearing thereon written protest to the formation of the proposed improvement district.

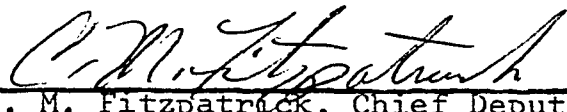
Section 8. That the same date, time and place referred to in Section 7 above, to wit, May 7, 1970 at the hour of 9:30 A.M. on said day at the Council Chamber, City Administration Building, 202 "C" Street, San Diego, California, is hereby also fixed as the time and place for holding of a special hearing pursuant to Section 17 of Article XIII of the California Constitution and Section 2804 of the Streets and Highways Code, and that at the same time and place any person interested will be heard on the questions of the formation of said proposed improvement district, the extent thereof, the proposed improvement, the estimated cost, the amount of bonds to be issued and whether the Special Assessment Investigation,

Limitation and Majority Protest Act of 1931 and the debt limitation and majority protest provisions thereof shall apply.

Section 9. That the City Clerk is hereby ordered and directed to cause notice of said hearings to be given by publishing a copy of this resolution once at least ten (10) days prior to the time for said hearings above stated in the City Official Newspaper. Said notice shall also be given by posting a copy of this resolution in three (3) public places within the proposed improvement district at least fifteen (15) days before the time fixed for said hearings.

Section 10. That the City Clerk is hereby ordered and directed to cause notice of said hearings to be given by mailing, postage prepaid, a copy of this resolution to each holder of title to taxable land within the proposed improvement district as such ownership is shown on the last equalized county assessment roll, at his address as shown upon the roll, and to any person, whether owner in fee or having a lien upon, or legal or equitable interest in, any land within the proposed improvement district, whose name and address and a designation of the land in which he is interested is on file with the City Clerk. Said mailing shall be completed not less than fifteen (15) days prior to the date of the hearings fixed herein.

APPROVED: JOHN W. WITT, City Attorney

By 
C. M. Fitzpatrick, Chief Deputy

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CITY OF SAN DIEGO

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SAN DIEGO, CALIF.

APR 9 1970

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

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

By Elfa J. Harrel, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 199489 Adopted APR 9 1970

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