

RESOLUTION NO. 200972

Adopted October 8, 1970

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, APPROVING A REPORT PREPARED PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913; AND FIXING THE TIME AND PLACE FOR HEARING PROTESTS AND OBJECTIONS TO THE IMPROVEMENTS, DIAGRAM AND ASSESSMENT DESCRIBED AND CONTAINED IN SAID REPORT AND WHETHER PUBLIC CONVENIENCE AND NECESSITY REQUIRES SUCH IMPROVEMENTS AND GIVING NOTICE THEREOF.

(Harbor View Drive, et al, Assessment District)

WHEREAS, this Council adopted Resolution of Intention No. 200971, declaring its intention to order certain improvements under the Municipal Improvement Act of 1913 (commencing with Section 10000, Streets and Highways Code), referring the improvements described therein to the City Engineer, directing said City Engineer to make and file with the City Clerk a report in writing containing all of the matters required by said Municipal Improvement Act of 1913; and

WHEREAS, said City Engineer has made and filed said report in writing with the City Clerk, Document No. 733631, and said City Clerk has presented said report to this Council for consideration; and

WHEREAS, under Section 17 of Article XIII of the Constitution of the State of California, Section 2804, Streets and Highways Code, and Sections 61.0101 to 61.0111, inclusive, of the San Diego Municipal Code, this Council proposes, after notice and hearing, to find and determine by no less than a four-fifths vote of all the members thereof, that the public convenience and necessity require such improvements and to order such improvements without

application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (commencing at Section 2800, Streets and Highways Code) and the debt limitation and majority protest provisions of said Act; NOW, THEREFORE,

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

Section 1. The Council has considered and passed on said Report. Said Report, as filed, is hereby approved. Said Report, including the plans, specifications, estimate of costs and expenses, diagram and assessment incorporated therein by reference, are on file in the office of the City Clerk and may be examined by any interested person. Reference is made to said plans and specifications for a full and detailed description of the proposed work.

Section 2. NOTICE IS HEREBY GIVEN that November 10, 1970, 1970, at the hour of 9:30 A.M. in the Council Chambers of said Council at the City Administration Building, 202 "C" Street, in said city are the day, hour and place fixed for the hearing of protests and objections by the Council. Any and all persons having any protest or objection to said proposed improvements, the extent of said assessment district or the proposed assessment may appear before the Council at said hearing and show cause why said proposed improvements should not be carried out and the proposed assessment and diagram confirmed, all in accordance with said resolution of intention and Report. Protests or objections must be in writing and must be delivered to the

City Clerk of said city, at or before the time set for said hearing. Any such protest or objection must contain a description of the property in which each signer thereof is interested sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property.

Section 3. NOTICE IS FURTHER GIVEN that at the previously mentioned day, hour and place, and concurrently with the afore-mentioned hearing, the Council will also hold a public hearing on the question of whether public convenience and necessity require such acquisitions and improvements, and whether the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and the debt limitation and majority protest provisions thereof shall apply. Notice of the public hearing provided for by this section shall be published, posted and mailed by the same means, at the same time and in the same manner as for the hearing provided by Section 2 hereof.

Section 4. The City Clerk is hereby directed to cause notices of the passage of this resolution to be posted, and is also directed to mail notices of the adoption of the resolution of intention and the filing of said Report, both such notices to be given at the time and in the form and manner provided by law.

Section 5. The City Clerk is further directed to cause a Notice of Improvement to be published twice in THE DAILY TRANSCRIPT, a newspaper of general circulation published and circulated in The City of San Diego, the first such publication to be made at least twenty (20) days before the date set herein for the hearing of protests.

APPROVED: JOHN W. WITT, City Attorney

By *Curtis M. Fitzpatrick*
Curtis M. Fitzpatrick,
Deputy

RECEIVED
CITY CLERK'S OFFICE

Passed and adopted by the Council of The City of San Diego on October 8, 1970,
by the following vote:

1970 OCT -2 PM 1:20
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 *Stella Thodoras*, Deputy. *re*

Office of the City Clerk, San Diego, California	
Resolution Number	<u>200972</u>
Adopted	<u>October 8, 1970</u>