

RESOLUTION NO. 202928

JUNE 15, 1971

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 THE REPORT AND WHETHER THE PUBLIC CONVENIENCE AND NECESSITY REQUIRES SUCH IMPROVEMENTS, AND GIVING NOTICE THEREOF

(Dellcrest Assessment District)

WHEREAS, the Council of The City of San Diego adopted Resolution of Intention No. 202927, declaring its intention to order certain improvements under the Municipal Improvement Act of 1913 (commencing with Section 10000 of the Streets and Highways Code), referring the improvements described therein to the City Engineer, directing the City Engineer to make and file with the City Clerk a Report in writing containing all of the matters required by the Municipal Improvement Act of 1913; and

WHEREAS, the City Engineer has made and filed his Report in writing with the City Clerk, Document No. 736217, and the City Clerk has presented the Report to the Council for consideration; and

WHEREAS, pursuant to Section 17 of Article XIII of the Constitution of the State of California, Section 2804 of the Streets and Highways Code, and Sections 61.0101 to 61.0111, inclusive, of the San Diego Municipal Code, the 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 the improvements and to order the improvements without application of the Special Assessment Investigation, limitation and Majority Protest Act of 1931 (commencing at

Section 2800 of the 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 the Report of the City Engineer. The Report, as filed, is hereby approved, the 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 the plans and specifications for a full and detailed description of the proposed work.

Section 2. NOTICE IS HEREBY GIVEN that JULY 27, 1971, at the hour of 9:30 o'clock A.M. in the Council Chambers of the Council at the City Administration Building, 202 "C" Street, San Diego, California, 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 the proposed improvements, the extent of the assessment district or the proposed assessment may appear before the Council at the hearing and show cause why the proposed improvements should not be carried out and the proposed assessment and diagram confirmed, all in accordance with the Resolution of Intention and the Report. Protests or objections must be in writing and must be delivered to the City Clerk of the City at or before the time set for the hearing as set forth above. Any 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 the property, must contain or be accompanied by written evidence that the signers are the owners of the property.

Section 3. NOTICE IS FURTHER GIVEN that at the above-mentioned day, hour and place, and concurrently with the above-mentioned hearing, the Council also will hold a public hearing on the question whether the public convenience and necessity require the 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 of this resolution.

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 the Report, both of such notices to be given at the time and in the form and manner as 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 20 days before the date set herein for the hearing of protests.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Lempster
Deputy

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JUN 15 1971

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

RECEIVED
CITY CLERK'S OFFICE
1971 JUN -9 AM 10:46
SAN DIEGO, CALIF.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

(Seal)

FRANK CURRAN
Mayor of The City of San Diego, California.

~~EDWARD NIELSEN~~

~~JOHN LOCKWOOD~~
City Clerk of The City of San Diego, California.

By Stella Theodoros, Deputy

Office of the City Clerk, San Diego, California

Resolution Number 202578 Adopted JUN 15 1971