

RESOLUTION NO. 215509

March 10, 1976

RESOLUTION OF THE COUNCIL OF THE CITY
OF SAN DIEGO, CALIFORNIA, MAKING FINDINGS
AND OVERRULING PROTESTS AND OBJECTIONS,
CONFIRMING DIAGRAM AND ASSESSMENT AND
ORDERING IMPROVEMENTS, AS CHANGED BY
RESOLUTION NO. 215508.

PARK DISTRICT NO. 16 (Hendrix Park)

WHEREAS, in proceedings under the San Diego Park District Procedural Ordinance of 1969 and, in particular, Division 8 (commencing with Section 61.0801) of Article 1, Chapter VI of the San Diego Municipal Code, the Council adopted resolution of intention, Resolution No. 215196, ordering the Superintendent of Streets to prepare the Report required by said ordinance and pursuant thereto the Superintendent of Streets prepared the Report, consisting of plans and specifications describing the proposed acquisitions and improvements, an estimate of the costs and expenses thereof, a diagram showing the assessment district, and a proposed assessment of such costs and expenses, the Report being on file with the City Clerk; and

WHEREAS, the Council by Resolution No. 215197 approved the Report, as filed, and appointed a time and place of hearing thereon and also for a public hearing on the question of whether public convenience and necessity require

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such 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; and

WHEREAS, notices of the passage of Resolutions Nos. 215196 and 215197 were duly published, posted and mailed, as provided by said ordinance, and the hearings were duly held at the time and place so fixed and all continuances thereof, if any, were duly made and ordered; and

WHEREAS, pursuant to the Environmental Quality Act of 1970 (commencing with Section 21050, Public Resources Code) and the Environmental Impact Report Procedural Ordinance (commencing with Section 69.0101, San Diego Municipal Code) the Environmental Quality Department of the city has determined that the proposed project is exempt from the environmental assessment process of the city; and

WHEREAS, the Council adopted Resolution No. 215508 ordering certain changes described therein; and

WHEREAS, at the hearings all persons desiring to be heard were fully heard and all oral and written protests and objections, if any, were fully heard and this Council

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gave all persons present an opportunity to hear and be heard in respect to the Report, the diagram and assessment, the proposed acquisitions and improvements, the proposed changes, the boundaries of the proposed assessment district, the serial bonds to be issued to represent unpaid assessments, the question of whether public convenience and necessity require such improvements, whether the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and the debt limitation and majority protest provisions thereof shall apply, or in any way relating to the Report and the proceedings proposed by the resolution of intention; and

WHEREAS, the Council has received evidence relating to the Report, the proposed acquisitions and improvements, the boundaries of the proposed assessment district, the assessment, the proposed changes, and the benefits to the property to be included in the proposed assessment district; NOW, THEREFORE,

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

Section 1. Written protest or objection against the proposed acquisitions and improvements has not been made by the owners of more than one-half of the area of the land

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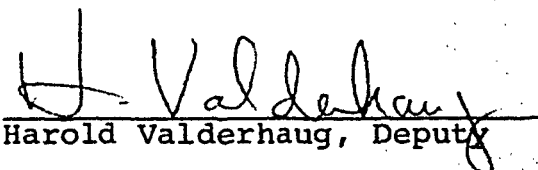
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to be assessed for the improvements. Except to the extent of any changes ordered by the Council, each and all oral and written protests and objections, if any, made or filed in the matter are hereby overruled and denied.

Section 2. The assessment and diagram, including the changes ordered therein by Resolution No. 215508, are hereby confirmed.

Section 3. The Council hereby declares that the Report, including the changes ordered therein by Resolution No. 215508, is approved and orders the acquisitions and improvements to be made as described in the resolution of intention, the Report, and Resolution No. 215508. Reference is hereby made to the resolution of intention, the Report and Resolution No. 215508 for a full and complete description and for further particulars.

APPROVED: JOHN W. WITT, City Attorney

By: 
Harold Valderhaug, Deputy

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Passed and adopted by the Council of The City of San Diego on MAR 10 1976,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By Kathleen Martinez, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 215509 Adopted MAR 10 1976