

R. 77-1268

RESOLUTION NO. 217932 March 16, 1977

RESOLUTION OF THE COUNCIL OF THE CITY
OF SAN DIEGO, CALIFORNIA, FINDING AND
DETERMINING THAT PUBLIC CONVENIENCE
AND NECESSITY REQUIRE CERTAIN IMPROVEMENTS.

La Jolla Scenic Drive and Via Capri Assessment District

WHEREAS, in proceedings under the Municipal Improvement Act of 1913 (commencing with Section 10000, Streets and Highways Code), the Council adopted resolution of intention, Resolution No. 217393, ordering the Superintendent of Streets to prepare the Report required by that Act 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. 217394 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. 217393 and 217394 were duly published, posted and mailed, as provided by said Act, 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, 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 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 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

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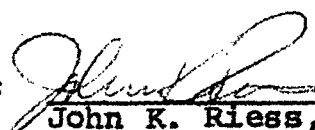
WHEREAS, the Council has received evidence relating to the Report, the proposed acquisitions and improvements, the boundaries of the proposed assessment district, the assessment, and the benefits to the property to be included in the proposed assessment district; NOW, THEREFORE,

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

Section 1. The Council finds and determines that public convenience and necessity require the improvements and such improvements are ordered without the application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and the debt limitation and majority protest provisions thereof.

APPROVED: JOHN W. WITT, City Attorney

By:


John K. Riess, Deputy

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Passed and adopted by the Council of The City of San Diego on MAR 16 1977,
 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Joel M. Strobl	<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.

(Seal)

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number 217932	Adopted MAR 16 1977

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