

RESOLUTION NO. 219904

(R. 77-2429)

December 14, 1977

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 PUBLIC CONVENIENCE AND NECESSITY REQUIRES SUCH IMPROVEMENTS AND GIVING NOTICE THEREOF.

(Beyer Boulevard, Dairy Mart Road to I-805, Assessment District)

WHEREAS, this Council adopted Resolution of Intention No. 219903, 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 Superintendent of Streets, directing the Superintendent of Streets 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 Superintendent of Streets has made and filed a Report in writing with the City Clerk, Document No. _____, and the City Clerk has presented the Report to this Council for consideration; and

MICROFILMED

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Note: No copies sent out - res. to be rescinded & project to be brought to Council again at a later date. Res. incomplete because didn't have correct calendar.
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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 the Report. 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 and grades.

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Section 2. NOTICE IS HEREBY GIVEN that _____,
1977, at the hour of 2:00 P.M. in the Council Chambers of
the Council at the City Administration Building, 202 "C"
Street, City of San Diego, 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,
the proposed assessment, or the proposed grades, may appear
before the Council at the hearing, and show cause why the
proposed improvement should not be carried out and the pro-
posed assessment and diagram confirmed, all in accordance
with the 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 the
hearing. Any such protest or objection must contain a des-
cription 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 accom-
panied by written evidence that such signers are the owners
of such property. Inquiries concerning the protest proceedings
may be made in person or by mail to the Special Districts
Section, Engineering and Development Department in the City
Operations Building, 1222 1st Avenue, San Diego, California
92101, or by calling that office at telephone number (714) 236-6010.

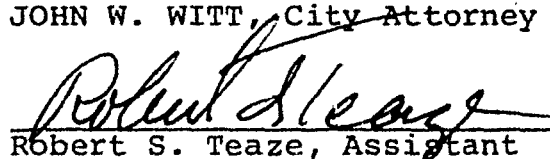
Section 3. NOTICE IS FURTHER GIVEN that at the previously mentioned day, hour and place, and concurrently with the aforementioned hearing, the Council will also hold a public hearing on the question of whether public convenience and necessity require such improvements, and whether the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and the debt limitation and majority protest provisions thereof shall apply. 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 SAN DIEGO 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:


Robert S. Teaze, Assistant

Passed and adopted by the Council of The City of San Diego on December 14, 1977,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<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"/>
Larry Stirling	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Kathleen Martinez*, Deputy.

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 CITY CLERK
 1977 12/22 AM 10:24
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
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Adopted	December 14, 1977