

RESOLUTION NO. R-254357

(R-81-2262)

JUN 3 1981

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, MAKING FINDINGS, OVERRRULING PROTESTS AND OBJECTIONS, CONFIRMING DIAGRAM AND ASSESSMENT, ORDERING PARTICIPATION, AND ORDERING CITY CONTRIBUTION

(Rowena Street Stabilization Assessment District)

WHEREAS, in proceedings under the San Diego Improvement District Procedural Ordinance, the Council adopted its resolution of intention, Resolution No. R-254083, ordering the City Manager to cause the Report required by said ordinance to be prepared, and pursuant thereto the City Manager caused said Report to be prepared, consisting of the description and depiction of the improvements, an estimate of the costs and expenses of said improvements, a diagram showing the assessment district, and the proposed assessment of the costs and expenses of the proposed improvements, said Report being on file with the City Clerk; and

WHEREAS, the Council, by Resolution No. R-254084, approved said Report, as filed, and appointed a time and place of hearing thereon and also for a public hearing on the question whether the public convenience and necessity require such improvement 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 said Resolution Nos. R-254083 and R-254084 were duly published, posted and mailed, as provided by said ordinance, and said hearing was duly held at the time and place so fixed; and

WHEREAS at said hearing 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 with respect to said Report, the diagram and assessment, the improvements, the boundaries of the proposed assessment district, the bonds to be issued to represent unpaid assessments, the question whether the 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, and in any way relating to the Report and the proceedings proposed by said resolution of intention; and

WHEREAS, the Council has received evidence relating to the Report, the improvements, the boundaries of the proposed assessment district, the assessment, and the special 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. 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 Council finds that each of the lots or parcels of land proposed to be assessed shall be specially benefitted by the improvement substantially in proportion to the amount of the proposed assessment against such lot or parcel, and, accordingly, the assessment contained in said Report is hereby confirmed.

Section 3. The Council hereby declares that the Report is approved, and orders the City's participation in the financing of the improvements, as described in the resolution of intention and said Report; and orders that the funds collected from the assessments and sale of bonds shall be tendered to the City as the Participating Agency. Reference is hereby made to said resolution of intention and said Report for a full and complete description of the improvement and for further particulars.

Section 4. The assessment and the diagram referenced in the Report are hereby confirmed.

Section 5. The Council finds and determines that the public convenience and necessity require the improvement and that the same is feasible and the participation in the financing of the improvement shall be and is hereby 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.

Section 6. The City shall contribute cash in the

amount of \$ 98,000 towards the cost of the
improvement.

APPROVED: JOHN W. WITT, City Attorney

By: Janice Lamontagne Gardner
Deputy

JUN 3 1981

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Buster Berridge, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-254357 Adopted JUN 3 1981