

(R-82-1665)

RESOLUTION NO. R-255167

APR 6 1982

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, MAKING FINDINGS, OVER-RULING PROTESTS AND OBJECTIONS, CONFIRMING DIAGRAM AND ASSESSMENT, AS AMENDED, ORDERING THE WORK, AND ORDERING CITY CONTRIBUTION

(Sunset Cliffs Shoreline Stabilization Assessment District)

WHEREAS, in proceedings under the Municipal Improvement Act of 1913, the Council adopted its resolution of intention, Resolution No. R-255465, ordering the City Engineer to cause the Report required by said Act to be prepared, and pursuant thereto the City Engineer 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-255466, 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

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WHEREAS, notices of the passage of said Resolution Nos. R-255465 and R-255466 were duly published, posted and mailed, as provided by said act, and said hearing was duly held at the time and place so fixed or as the same was duly continued; and

WHEREAS, the Council adopted Resolution No. R-256164 amending said Resolution of Intention; and

WHEREAS, the Council adopted Resolution No. R-256165 ordering certain changes in the Report; 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 proposed 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, said changes and modifications, and in any way relating to the Report and the proceedings proposed by said resolution of intention; and

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WHEREAS, the Council has received and considered Environmental Impact Report No. 77-01-10-S1 related to said work and improvements; and

WHEREAS, the Council has received evidence relating to the Report, the improvements, the boundaries of the proposed assessment district, the assessment, said changes and modifications, 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 work and improvements substantially in proportion to the amount of the proposed assessment against such lot or parcel, and, accordingly, the assessment contained in said Report, as amended by Resolution No. R-256165, is hereby confirmed.

Section 3. The Council hereby declares that the Report, as amended, is approved, and orders the work and improvements to be made as described in the resolution of intention and said Report, as amended. Reference is hereby

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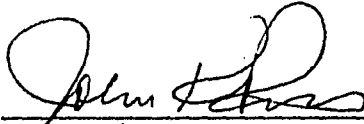
made to said resolution of intention, said Report, and Resolution No. R-256165, for a full and complete description of the work and improvements and for further particulars.

Section 4. The assessment, as changed by Resolution No. R-256165, and the diagram 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 work and improvements 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 \$ 835,269 towards the cost of the improvement.

APPROVED: JOHN W. WITT, City
Attorney

By: 
Deputy

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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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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 *Barbara Berridge*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-256167 Adopted APR 6 1982