

RESOLUTION NO. R-259101

(R-84-31)  
AUG 16 1983

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY REQUIRE CERTAIN ACQUISITION AND IMPROVEMENTS, AND THAT THE "SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931" SHALL NOT APPLY

(Assessment District No. 3990 - Lopez Canyon Sewer and Retention Basin)

WHEREAS, the CITY COUNCIL of the CITY OF SAN DIEGO, CALIFORNIA, has held a public hearing, for which reasonable notice has been given by publication and posting, to determine the public convenience and necessity for certain acquisition and the construction of certain public works of improvement, together with appurtenances, in a special assessment district known and designated as

ASSESSMENT DISTRICT NO. 3990  
(LOPEZ CANYON SEWER AND RETENTION BASIN)

(hereinafter referred to as the "Assessment District"); and,

WHEREAS, this City Council has heard and considered all the evidence, both oral and written, relative to the public convenience and necessity for the construction of the aforesaid improvements; and,

WHEREAS, said City Council is now satisfied as to the improvements and acquisition as proposed.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That it is hereby found and determined that the public convenience and necessity require the following work and acquisition, to-wit:

The construction of approximately 15,950 lin.ft. of collector sewer system, consisting of 12-inch and 18-inch sewer pipe, concrete manholes, concrete encasements, concrete cradles, cut-off walls, and hydroseeding, together with appurtenances and appurtenant work; approximately 7,550 lin.ft. of sewer mains consisting of 8-inch, 10-inch, 12-inch and 18-inch sewer pipe, cement treated backfills,

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concrete manholes, cut-off walls, jute material and hydroseeding, together with appurtenances and appurtenant work; and a storm water retention basin consisting of rock filled gabion embankment, reinforced concrete, 6-ft. high chainlink fencing, earth cover, seeding and landscaping, together with appurtenances and appurtenant work, to serve and benefit properties located within the boundaries of ASSESSMENT DISTRICT NO. 3990 (LOPEZ CANYON SEWER AND RETENTION BASIN).

SECTION 3. That it is further determined that the provisions and limitations of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" shall not be applicable to proceedings for this improvement.

SECTION 4. That this project for improvements and acquisition shall proceed in accordance with the terms and provisions of the "Municipal Improvement Act of 1913", being Division 12 of the Streets and Highways Code of the State of California, and that bonds, for purposes of financing said project, shall be issued in accordance with the terms and provisions of the City of San Diego Improvement District Procedural Ordinance of 1982 (Division 23, San Diego Municipal Code), and applicable Sections of the "Improvement Bond Act of 1915", being Division 10 of said Code.

SECTION 5. By this Resolution, it is the intention of this City Council to make all findings by the affirmative four-fifths (4/5) vote of all members thereof that all determinations as to feasibility and necessity to disregard the limitations and proceedings set up in Division 4 as therein provided be made and determined, and further, to meet the requirements of Section 2804 of the Streets and Highways Code and Section 19 of Article XVI of the Constitution of the State of California.

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 \_\_\_\_\_,  
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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Barbara B. Budge* Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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