

(R-89-1941)

RESOLUTION NUMBER R- 273363

ADOPTED ON MAY 2 1989

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA, FINDING AND DETERMINING  
THAT THE PUBLIC CONVENIENCE AND NECESSITY  
REQUIRED PROPOSED ACQUISITIONS AND  
IMPROVEMENTS.

(Assessment District No. 4029  
Sorrento Valley Road - Sorrento Valley Boulevard to  
I-805)

WHEREAS, the City Council adopted its Resolution of Intention, Resolution No. R-273086 calling for a hearing on whether the public necessity and convenience require certain acquisitions and improvement work to be done under and pursuant to the Municipal Improvement Act of 1913, Division 12 of the California Streets and Highways Code and whether the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and Section 19, Article XVI of the California Constitution shall apply to the proposed acquisitions and improvement work; and

WHEREAS, notice of said hearing was given by the City Clerk concurrently with notice of the hearing on the report of the Superintendent of Streets, and certificates of publication and posting of such notice have been filed with this City Council by the City Clerk pursuant to Sections 10308 and 2803.5 of the California Streets and Highways Code; and

WHEREAS, at the time and place fixed in such notice a combined hearing was duly held by The City Council at which all

written appeals and protests and objections, if any, were duly presented and read and persons desiring to be heard thereof were heard and this City Council gave all persons present an opportunity to be heard with respect to any matter relating to said improvement work, any act or determination of the Superintendent of Streets in relation thereto, any matter in connection with the report of the Superintendent of Streets, the correctness of the assessments or diagram prepared by the Superintendent of Streets, or any other act, determination or proceeding of the Superintendent of Streets, or any matter relating to said work, the assessment district or the proceedings therefore; and

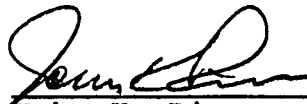
WHEREAS, all such persons desiring to be heard have been heard by this City Council and this Council is fully informed in the premises; NOW, THEREFORE,

The City Council of The City of San Diego, California, DOES HEREBY FIND, RESOLVE, DETERMINE and ORDER as follows:

Section 1. Determination of Public Necessity and Convenience. That after considering the evidence presented at the hearing, including the report of the Superintendent of Streets and any protests made, this City Council determines that the public necessity and convenience require that the proposed acquisitions and improvement work be made, and that based on this determination, the debt limitation and majority protest provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply.

Section 2. Repeal of Inconsistent Resolutions. Any resolution of The City and any part of such resolution inconsistent with this resolution is hereby repealed to the extent of such inconsistency.

APPROVED: JOHN W. WITT, City Attorney

By   
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John K. Riess  
Deputy City Attorney

JKR:pev  
04/10/89  
Or.Dept:=====  
Aud.Cert:=====  
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SAN DIEGO, CALIF.

MAY 2 1989

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *Blonda R. Berner*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-273363* Adopted **MAY 2 1989**  
 Number .....  
 CC-1276 (Rev. 12-87)