

RESOLUTION NO. 30794

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE
CONSENTING TO FORMATION OF UMBARGER ROAD AREA STORM
DRAINAGE PROJECT BY THE COUNTY OF SANTA CLARA UNDER
THE MUNICIPAL IMPROVEMENT ACT OF 1913, TO WORK AND
IMPROVEMENTS DESCRIBED IN PROPOSED RESOLUTION OF
PRELIMINARY DETERMINATION AND OF INTENTION HEREIN
REFERRED TO, TO ASSUMPTION OF JURISDICTION THEREOVER
BY COUNTY, TO THE LEVY OF ASSESSMENTS UPON PROPERTIES
BENEFITED, AND APPROVING SAID PROPOSED RESOLUTION OF
PRELIMINARY DETERMINATION AND OF INTENTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

WHEREAS, the Clerk of the Board of Supervisors of the County of Santa Clara has presented to this Council a copy of that certain resolution entitled "A Resolution Requesting Consent of the City Council of City of San Jose to the Exercise of Extra-territorial Jurisdiction to Undertake Proceedings for the Acquisition and Construction of Public Improvements and to Provide that the Costs Shall be Assessed upon the District Benefited, Under Appropriate Special Assessment and Assessment Bond Acts, Umbarger Road Area Storm Drainage Project"; and

WHEREAS, there is attached to said Resolution a form of proposed Resolution of Preliminary Determination and of Intention to be adopted by said Board of Supervisors in proceedings to be undertaken under the Municipal Improvement Act of 1913 relative to proposed work, acquisition and improvements described in said proposed Resolution of Preliminary Determination and of Intention in an assessment district designated "Umbarger Road Area Storm Drainage Project", described and provided for in said Resolution of Preliminary Determination and of Intention; and said proposed assessment district includes property lying in unincorporated territory of the County of Santa Clara and some of the proposed work is to be done and acquisitions and improvements made partly in the city limits of the City of San Jose, and a portion of the lands to be assessed to pay the costs and expenses thereof is incorporated territory within the City of San Jose; and

WHEREAS, said acquisitions and improvements to be made are of

such a character that they will directly and peculiarly affect property not only within the boundaries of the County of Santa Clara, but also the incorporated territory within the City of San Jose, and the purposes sought to be accomplished can best be accomplished by a single comprehensive scheme of work; and

WHEREAS, this Council has considered the requests set forth in said resolution of said Board of Supervisors referred to in the first recital of this resolution and has determined and hereby finds that said resolution complies with the requirements of the Municipal Improvement Act of 1913, and that the public interest and convenience require the granting of such approval and consent;

NOW, THEREFORE,

1. Said proposed Resolution of Preliminary Determination and of Intention attached to said Resolution of said Board of Supervisors referred to in the first recital of this Resolution, is hereby approved.

2. The City Council hereby consents

- (a) to the formation of Umbarger Road Area Storm Drainage Project, described and referred to in said proposed Resolution of Preliminary Determination and of Intention, as an assessment district under the Municipal Improvement Act of 1913;
- (b) to the work, acquisitions and improvements described in said proposed Resolution of Preliminary Determination and of Intention;
- (c) to the assumption of jurisdiction over said work, acquisitions and improvements by the County of Santa Clara for the purposes set forth in said proposed Resolution of Preliminary Determination and of Intention and in said Resolution referred to in said first recital of this Resolution;

(d) to the levying of assessments on property benefited within the limits of the City of San Jose.

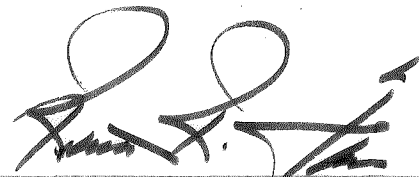
3. The City Clerk is hereby directed forthwith to transmit four (4) copies of this Resolution, duly certified by him, to the Clerk of the Board of Supervisors of the County of Santa Clara.

ADOPTED this 6th day of March, 1967, by the following vote:

AYES: Councilmen - Fischer, Miller, Pace, Shaffer, Solari, Welch and James

NOES: Councilmen - None

ABSENT: Councilmen - None



Mayor Ronald R. James

ATTEST:



City Clerk Francis L. Greiner