

ORDINANCE NO. 10214
(New Series)

ORDINANCE AMENDING CHAPTER VI, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISIONS 9 THROUGH 17 RELATING TO THE
ESTABLISHMENT OF UTILITY IMPROVEMENT
DISTRICTS WITHIN THE CITY.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Chapter VI, Article 1, of the San Diego
Municipal Code be amended by adding Divisions 9 through 17
to read as follows:

DIVISION 9: UTILITY IMPROVEMENT DISTRICTS -
ESTABLISHMENT - INTENT AND PURPOSE

SEC. 61.0901 STATEMENT OF POLICY

The Council hereby finds that in order to provide
an orderly means for installing public works, improve-
ments and facilities in areas within the City, it is
necessary for the City to exercise the powers it has
by virtue of being a home rule city and to provide for
a procedure for the formation of improvement districts
within the City and for the issuance of bonds by the
City on behalf of such improvement districts, said
procedure to be an alternative to any others provided
by, under or pursuant to the Charter of the City and
the general laws of the state. The works, improve-
ments and facilities which may be acquired, constructed,
completed, repaired and financed pursuant to the pro-
visions of this ordinance shall consist of: (i) works,
improvements and facilities for the collection, treat-
ment and disposal of sewage; (ii) works, improvements
and facilities for the production, treatment and
distribution of water; and (iii) works, improvements
and facilities for such other utility services as the

City may now or hereafter have the power to provide.

SEC. 61.0902 CITATION

This Ordinance, consisting of Divisions 9 through 17 of Article 1, Chapter VI, of the San Diego Municipal Code, may be cited as the San Diego Utility Improvement Districts Procedural Ordinance.

DIVISION 10: UTILITY IMPROVEMENT DISTRICTS -
FORMATION

SEC. 61.1001 RESOLUTION FOR FORMATION

Whenever the Council deems it necessary to form an improvement district within the City and to issue bonds which shall be special obligations of and be issued on behalf of such improvement district, for the acquisition, construction, completion, repair or financing of any or all works, improvements and facilities referred to in Division 9 of this ordinance, the Council shall by resolution declare its intention to form an improvement district and to issue such bonds.

SEC. 61.1002 CONTENTS OF RESOLUTION: INTENTION
TO FORM DISTRICT

The resolution of intention shall state that the Council intends to form an improvement district of any portion of the City, which in the opinion of the Council will be benefited by the acquisition and construction of certain improvements and to incur bonded indebtedness by the issuance of bonds on behalf of such improvement district.

SEC. 61.1003 RESOLUTION: PURPOSE OF DEBT: AMOUNT:
PROPERTY TAXABLE TO PAY DEBT

The resolution of intention shall also state:

(a) The purposes for which the proposed bonds are to be issued which may include any or all of the purposes stated in Division 9 hereof.

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(b) The estimated cost of the accomplishment of such purposes and the amount of bonds to be issued therefor, which may include incidental expenses, including without limitation, engineering, appraisal, legal fees, land and rights-of-way acquisition, reserve funds and expenses of financing the district and expenses of all proceedings for the authorization, issuance and sale of the bonds.

(c) That the bonds shall not be general obligations of the City, nor shall the credit of the City or the property or revenue of any public utility owned by the City be pledged for the payment thereof; and that the bonds shall be special obligations of and be issued on behalf of the improvement district; and that taxes for the payment of the interest on the bonds and the principal thereof shall be levied exclusively upon the taxable land in the improvement district.

(d) The maximum interest rate which the bonds may bear, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1004 RESOLUTION: DESCRIPTION OF IMPROVEMENT:
MAP OF DISTRICT: AVAILABILITY FOR
INSPECTION

The resolution of intention shall also state that such resolution, together with a general description of the proposed improvement and a map showing the exterior

boundaries of the proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1005 RESOLUTION: TIME AND PLACE OF HEARING:
WHO MAY BE HEARD

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the formation and extent of the proposed improvement district, the proposed improvement, the estimated cost and the amount of bonds to be issued.

(b) That at the time and place specified in the resolution any person interested will be heard; and that any holder of title to taxable land within the proposed improvement district may file with the City Clerk at any time prior to the time set for the hearing thereon written protest to the formation of the proposed improvement district.

SEC. 61.1006 NOTICE OF HEARING: PUBLICATION:
POSTING: MAILING

Notice of the hearing shall be given by publishing a copy of the resolution of intention once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. Such notice shall also be given by posting a copy of the resolution of intention in three (3) public places within the proposed improvement district at least fifteen (15) days before the time fixed for the hearing. Such notice shall also be given by mailing a copy of said resolution of intention at least fifteen (15) days before the time fixed for the

hearing to each holder of title to taxable land within the proposed improvement district as such ownership is shown on the last equalized county assessment roll. The City Clerk shall cause all the above notices to be given.

SEC. 61.1007 TIME AND PLACE: WHO MAY APPEAR:
CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the questions set forth in the resolution of intention. The Council shall hear and pass upon all written protests filed by the holders of title to taxable land within the proposed improvement district. Such protests must be in writing, must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The hearing may be continued from time to time by the Council.

SEC. 61.1008 CHANGES: PURPOSE OF DEBT: AMOUNT:
BOUNDARIES

The Council may change the purposes for which the proposed bonds are to be issued, the estimated cost, or the amount of the bonds. The Council may also change the boundaries of the proposed improvement district, but not so as to include any territory which will not, in its judgment, be benefited by the proposed improvement.

SEC. 61.1009 NOTICE OF INTENTION TO MAKE CHANGE:
PUBLICATION: POSTING: CONTENTS

The purposes, estimated cost, or amount of bonds to be issued or the boundaries of the proposed improvement district shall not be changed by the Council except after adoption by the Council of a resolution declaring its intention to order changes and fixing a time and place for a hearing on said changes. The resolution shall be published, posted and mailed in the same manner as set forth in Section 61.1006 of this Division 10. The resolution shall state the purposes, estimated cost and debt as originally proposed, and as changed if such is the case, and that the exterior boundaries as originally proposed, and as changed if such is the case, are set forth on maps on file with the City Clerk and that the map showing the boundaries as changed, shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1010 HEARING ON CHANGE: WHO MAY APPEAR:
CONTINUANCE

At the time and place fixed in the resolution of intention to make changes the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the matters contained in the resolution. Written protests to the proposed changes may be filed with the City Clerk by the holder of title to taxable land within the proposed improvement district at any time up to the hour set for hearing on said proposed changes. The hearing may be continued from time to time by the Council.

SEC. 61.1011 PROTESTS BY HOLDERS OF TITLE TO
ONE-HALF OF VALUE OF TAXABLE LAND:
RESOLUTION OF NECESSITY TO INCUR DEBT:
CONTENTS

If written protests are filed by the holders of title to one-half of the value of the taxable land within the proposed improvement district, as shown by the last equalized assessment roll of the county, prior to the hearing on the resolution of intention or prior to the hearing on any proposed changes with respect thereto, and if there remain on file protests representing one-half of the value of such taxable land at the time the Council has concluded the hearing on said resolution of intention and any hearing on proposed changes with respect thereto, further proceedings shall not be taken and the Council shall declare the proceedings abandoned. If such protests do not remain on file at the conclusion of said hearing or hearings, the Council shall by resolution determine whether or not it is deemed necessary to form the improvement district and issue bonds which shall be special obligations of and be issued on behalf of the improvement district. If the Council determines that it is necessary to form the improvement district and issue bonds, the resolution shall also state, in accordance with the prior proceedings:

(a) The purposes for which the proposed bonds are to be issued.

(b) The estimated cost of the accomplishment of such purposes and the amount of the proposed bonds.

(c) That the exterior boundaries of the portion of the City which will be benefited by the accomplishment of the purpose are set forth on a

map on file with the City Clerk, which map shall govern for all details as to the extent of the improvement district.

(d) That such portion of the City set forth on the map shall thereupon constitute and be known by the name designated in the resolution.

SEC. 61.1012 DISAPPROVAL OF FORMATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to constitute the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the formation.

SEC. 61.1013 EFFECTIVE DATE: EFFECT OF DETERMINATIONS IN RESOLUTION

From and after the date the City Council adopts the resolution forming the improvement district, the area named therein shall constitute the improvement district within the City bearing the name set forth in the resolution. The determinations made in the resolution forming the improvement district shall be final and conclusive.

SEC. 61.1014 EFFECT OF FORMATION ON ELECTION PROCEEDINGS AND TAX LEVY

After the formation of the improvement district pursuant to this ordinance, the Council may, by resolution, at such time or times as it deems proper, issue bonds on behalf of the improvement district, and thereafter all proceedings shall be limited and shall apply only to the improvement district, and taxes for the payment of the bonds and the interest thereon shall be levied exclusively upon the taxable land in the improvement district.

DIVISION 11: UTILITY IMPROVEMENT DISTRICTS -
ISSUANCE AND SALE OF BONDS

SEC. 61.1101 ISSUANCE BY COUNCIL RESOLUTION

The Council may, by resolution, at such time or times as it deems proper, issue bonds which shall be special obligations of and be issued on behalf of the improvement district for the whole or any part of the total amount authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear until the full amount of such bonds authorized has been issued.

SEC. 61.1102 SERIES OF BONDS, DIFFERENT MATURITY DATES: MAXIMUM TERM OF SERIES

The full amount of the authorized bonds may be divided into two or more series and different dates fixed for the bonds of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed forty (40) years from the date of the series.

SEC. 61.1103 FORM OF BONDS AND COUPONS: TIME OF PRINCIPAL PAYMENTS

The Council shall, by resolution, prescribe the form of the bonds and of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five (5) years from the date of the bonds or the date of the bonds of each series, respectively.

SEC. 61.1104 INTEREST RATE: PAYMENT DATES

The bonds shall bear interest at a rate or rates not to exceed the rate specified in the resolution of

intention, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1105 CALL AND REDEMPTION BEFORE MATURITY:
PROVISION IN BOND

The Council may provide for the call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect.

SEC. 61.1106 DENOMINATION

The denomination of the bonds shall be stated in the resolution providing for their issuance.

SEC. 61.1107 PLACE OF PAYMENT

The principal and interest on the bonds shall be payable in lawful money of the United States at the office of the Treasurer of the City or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

SEC. 61.1108 FORM OF BONDS: DATE: NUMBER: SIGNING
AND COUNTERSIGNING: SEAL: MECHANICAL
REPRODUCTION OF SIGNATURES

The bonds shall be dated, numbered consecutively, signed by the Mayor and Treasurer of the City, countersigned by the City Clerk, and the official seal of the City impressed, imprinted or reproduced thereon. The interest coupons of the bonds shall be signed by the Treasurer. All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of the signatures or countersignatures to the bonds shall be manually affixed.

SEC. 61.1109 BONDS OF IMPROVEMENT DISTRICTS:
STATEMENT OF LIMITATION ON LEVY

The bonds shall be special obligations of and be issued on behalf of the improvement district, and shall be designated in accordance with the prior proceedings. Each bond shall state, in substance, that the bond is not a general obligation of the City, nor is the credit of the City or the property or revenue of any public utility owned by the City pledged for its payment; and that the bond is a special obligation of and is issued on behalf of the improvement district; and that taxes levied for the payment of the interest thereon and principal thereof shall be levied exclusively upon the taxable land in the improvement district.

SEC. 61.1110 BIDS FOR BONDS: SALE TO HIGHEST
RESPONSIBLE BIDDER: REJECTION OF BIDS:
READVERTISEMENT: PRIVATE SALE

The bonds shall be sold for such price or prices as the Council in its discretion shall determine, which may be at or less than the par value thereof. Before selling the bonds or any part thereof, the City shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded by resolution to the highest responsible bidder. If no bids are received, or if the Council determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

SEC. 61.1111 PAYMENT OF PROCEEDS INTO CITY TREASURY:
SPECIAL IMPROVEMENT FUNDS: EXPENDITURE
FOR PURPOSE OF DEBT: APPLICATION OF
SURPLUS ON ACCOMPLISHMENT OF PURPOSE

The proceeds from the sale of bonds, except for

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premium and accrued interest, if any, shall be paid into the treasury of the City, placed to the credit of a special improvement fund, and expended only for the purpose for which the indebtedness was created. When such purpose has been accomplished, any monies remaining in the special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Premium and accrued interest, if any, shall be paid into the treasury and placed to the credit of the fund to be used for the payment of the principal of and interest on the bonds.

SEC. 61.1112 INTEREST PAID FROM BOND PROCEEDS:
MAXIMUM LIMITATION

Interest on the bonds coming due before the proceeds of a tax levied at the next general tax levy after the sale of the bonds are available, and interest on any bonds coming due before the expiration of one year following completion of the acquisition and construction of the works and improvements for which the bonds were issued, may be paid from the proceeds of the sale of the bonds.

DIVISION 12: UTILITY IMPROVEMENT DISTRICTS -
LEVY OF TAX TO PAY PRINCIPAL AND
INTEREST ON BONDS

SEC. 61.1201 PAYMENT OF PRINCIPAL AND INTEREST

At the time of making the general tax levy after the issuance of the bonds and annually thereafter until the bonds are paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on the bonds as they become due, the Council shall cause a tax to be levied exclusively upon the land in the improvement

district sufficient to pay the interest on the bonds and such part of the principal as will become due before the proceeds of such a tax levied at the next general tax levy will be available. Such tax shall be levied and collected at the same time as other City taxes, and shall be used only for the payment of interest on and principal of the bonds. Taxes for the payment of such bonds shall constitute a lien on all of the taxable land within the improvement district. Such liens shall be of the same force and effect as other liens for City taxes and their collection may be enforced by the same means as provided for the enforcement of liens for other City taxes.

Nothing in this section shall be deemed to prevent the City Council from using any funds of the City which are attributable to the district for payment of such principal and interest, and to the extent that such funds are in the treasury set apart for that purpose, the tax required by this section need not be levied. For purposes of this section the phrase "funds of the City which are attributable to the district" shall only mean grants from other governmental agencies to the City on behalf of the district or revenues raised by operation of the facilities constructed under this ordinance within the district including, but not limited to connection fees, to the extent that said revenues are legally available.

DIVISION 13: UTILITY IMPROVEMENT DISTRICTS -
ANNEXATION BY PETITION

SEC. 61.1301 AUTHORIZATION: CONTIGUITY OF PARCELS
TO BE ANNEXED

Any portion of the City contiguous to an improvement district thereof may be annexed to such improvement district in the manner provided in this ordinance.

SEC. 61.1302 PETITION FOR ANNEXATION: FORM:
FILING

Annexation proceedings may be initiated by petition. A petition, which may consist of any number of separate instruments, shall be filed with the City Clerk.

SEC. 61.1303 SIGNATURES REQUIRED

A petition shall be signed by the holders of title to at least sixty percent (60%) of the area of land in the portion proposed to be annexed to the improvement district, which land shall have an assessed valuation of not less than fifty percent (50%) of the land proposed to be annexed.

SEC. 61.1304 CONTENTS OF PETITION: DESCRIPTION OF
AREA: MAP: TERMS AND CONDITIONS:
PRAYER

The petition for annexation shall contain all of the following:

(a) A description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the area proposed to be annexed.

(b) The terms and conditions upon which petitioners wish the proposed area to be annexed.

(c) A prayer that the Council declare such area to be annexed to the improvement district.

SEC. 61.1305 REIMBURSEMENT OF CITY FOR EXPENSES:
CHECK ACCOMPANYING PETITION

The petition for annexation shall be accompanied by a certified check payable to the order of the City.

Treasurer in such amount as may be estimated by the City Clerk as being sufficient to reimburse the City for the expenses of processing and publishing the petition and preparing and making the filings required by law.

SEC. 61.1306 EXAMINATION OF PETITION

Within twenty (20) days of the date of the filing of the petition for annexation, the City Clerk shall examine the petition and determine whether it is signed by the required number of holders of title.

SEC. 61.1307 CERTIFICATE OF RESULT OF EXAMINATION

When the City Clerk has completed his examination of the petition for annexation, he shall attach to it his certificate, properly dated, showing the result of such examination.

SEC. 61.1308 CERTIFICATES OF SUFFICIENCY AND INSUFFICIENCY

If the City Clerk finds from the examination that the petition for annexation is signed by the requisite number of holders of title, he shall certify that the petition is sufficient and shall present the petition to the Council for preliminary approval. If he finds it is not so signed, he shall certify that the petition is insufficient.

SEC. 61.1309 CERTIFICATE OF INSUFFICIENCY: SUPPLEMENTAL PETITIONS

If the City Clerk certifies in his certificate that the petition for annexation is insufficient, the petition may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate.

SEC. 61.1310 EXAMINATION OF SUPPLEMENTAL PETITIONS: CERTIFICATES

Within twenty (20) days after the filing of any

supplemental petition or petitions, the City Clerk shall examine them and certify to the result of such examination as provided in Sections 61.1306 to 61.1308, inclusive. If the City Clerk certifies that the petition, together with the supplemental petition, or petitions, as the case may be, is sufficient, he shall present same to the Council for preliminary approval.

SEC. 61.1311 NOTICE OF HEARING ON PETITION:
PUBLICATION: POSTING: MAILING

After the Council has given its preliminary approval by resolution to the petition, together with such supplemental petition or petitions as have been filed, if any, the City Clerk shall cause the publication, posting and mailing as provided in Sections 61.1312 to 61.1315, inclusive, be accomplished without delay. *lm*

SEC. 61.1312 PUBLICATION OF PETITION FOR ANNEXATION:
NOTICE OF TIME AND PLACE OF MEETING

The text of the petition for annexation shall be published once at least ten (10) days prior to the time at which it is to be presented to the Council, in the City Official Newspaper, together with a notice setting the time and place of the meeting at which the petition will be presented. If the petition is contained upon one or more instruments, only one copy of the petition need be published.

SEC. 61.1313 PUBLICATION OF SIGNATURES

No more than five (5) of the names attached to the petition for annexation need appear in the publication of the petition and notice, but the number of signers shall be stated.

SEC. 61.1314 POSTING OF PETITION AND NOTICE

The petition and notice shall also be posted in

three (3) public places in the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1315 MAILING OF PETITION AND NOTICE

The petition and notice shall also be mailed at least fifteen (15) days prior to the hearing to each holder of title to land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1316 HEARING ON PETITION: WHO MAY APPEAR:
CONTINUANCE

The Council shall proceed to hear the petition at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1317 DETERMINATION OF BENEFITS: RESOLUTION
APPROVING ANNEXATION: CONTENTS OF
RESOLUTION

At the conclusion of the hearing, if the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve the annexation and the terms and conditions thereof.

The resolution shall describe the annexed territory, which shall be made by reference to a map on file

with the City Clerk, which map shall govern for all details as to the extent of the annexed area.

SEC. 61.1318 DISAPPROVAL OF ANNEXATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to be annexed to the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the annexation.

SEC. 61.1319 EFFECTIVE DATE OF ANNEXATION

On and after the date the Council adopts the resolution approving the annexation, the area named therein is added to and forms a part of the improvement district.

SEC. 61.1320 TAXABILITY OF ANNEXED AREA: LIABILITY FOR OUTSTANDING DEBT

The land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation as if the annexed area had always been a part of the improvement district.

SEC. 61.1321 ENFORCEMENT OF TERMS AND CONDITIONS OF ANNEXATION

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 14: UTILITY IMPROVEMENT DISTRICTS - ANNEXATION INITIATED BY THE COUNCIL

SEC. 61.1401 RESOLUTION FOR ANNEXATION TO IMPROVEMENT DISTRICT: CONTIGUITY OF AREA TO BE ANNEXED

The Council by resolution may initiate proceedings for the annexation of territory within the City contiguous

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to an improvement district to such improvement district.

SEC. 61.1402 CONTENTS OF RESOLUTION

The resolution proposing annexation shall:

(a) Declare that proceedings have been initiated by the Council pursuant to this ordinance to annex territory within the City to an improvement district and the name of the improvement district involved.

(b) State the reason for proposing the annexation.

(c) Set forth a description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk which map shall govern for all details as to the extent of the area proposed to be annexed.

(d) State the terms and conditions of the annexation.

(e) State that the holders of title to any of the land sought to be annexed may file with the City Clerk, at any time prior to the hearing, written protests to the annexation or the annexation upon such terms and conditions.

(f) Fix the time and place of a meeting at which the Council will receive written protests that have heretofore been filed with the City Clerk and hear from any and all persons interested in the proposed annexation.

SEC. 61.1403 PUBLICATION OF ANNEXATION RESOLUTION

The City Clerk shall cause the text of the resolution proposing annexation to be published once at least ten (10) days prior to the time of hearing in the City Official Newspaper.

SEC. 61.1404 POSTING OF ANNEXATION RESOLUTION

The City Clerk shall also cause a copy of the resolution proposing annexation to be posted in three (3) public places within the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1405 MAILING OF RESOLUTION

The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1406 HEARING ON RESOLUTION: WHO MAY APPEAR:
CONTINUANCE

The Council shall proceed with the hearing at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1407 EFFECT OF PROTESTS BY OWNERS OF ONE-HALF
OF VALUE OF TERRITORY TO BE ANNEXED

If, prior to the hearing, written protests have been filed by the holders of title to one-half of the value of the taxable land proposed to be annexed as shown by the last equalized county assessment roll, and have not been withdrawn as provided in Section 61.1408 hereof, further proceedings shall not be taken, and the Council shall terminate the annexation proceedings by a resolution so stating.

SEC. 61. 1408 DETERMINATION OF BENEFITS: RESOLUTION
OF APPROVAL OF ANNEXATION: CONTENTS OF
RESOLUTION

Any written protest may be withdrawn at any time prior to the conclusion of the hearing by the person or

persons who have filed same. If at the conclusion of the hearing there remain on file written protests, if any, which represent less than one-half of the value of the taxable land proposed to be annexed, and, if at the conclusion of the hearing the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve such annexation.

The resolution shall describe the territory annexed which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area. The resolution shall also state the terms and conditions of annexation as theretofore determined by resolution of the Council.

SEC. 61.1409 DISAPPROVAL OF ANNEXATION RESOLUTION
FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that either the area proposed to be annexed to the improvement district will not be benefited thereby or that the improvement district to which the area is proposed to be annexed will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove such annexation.

SEC. 61.1410 EFFECTIVE DATE OF ANNEXATION

On and after the date the City Council adopts the resolution approving the annexation, the area described therein is added to and forms a part of the improvement district.

SEC. 61.1411 TAXABILITY OF ANNEXED AREA: LIABILITY
FOR DEBT OUTSTANDING AT TIME OF
ANNEXATION

The taxable land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation, as if the annexed area had always been a part of the improvement district.

SEC. 61.1412 ENFORCEMENT OF TERMS AND CONDITIONS

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 15: UTILITY IMPROVEMENT DISTRICTS -
EXCLUSION OF TERRITORY

SEC. 61.1501 INITIATION OF PROCEEDINGS

Proceedings to exclude territory from an improvement district formed pursuant to this ordinance may be initiated by the Council upon its own motion, or shall be initiated by the Council upon receipt of a petition for exclusion filed with the City Clerk and signed by not less than the holders of title to at least sixty percent (60%) of the taxable land in the portion proposed to be excluded from the improvement district, which taxable land shall have an assessed valuation of not less than fifty percent (50%) of the taxable land proposed to be excluded, which states reasons such exclusion will be beneficial to the City, the improvement district and the territory to be excluded.

SEC. 61.1502 RESOLUTION OF INTENTION

Upon adoption of said motion to initiate exclusion proceedings or upon receipt of said petition for exclusion, the Council shall adopt a resolution of intention to exclude which shall state:

(a) The method by which said exclusion proceedings were initiated, by motion of the Council or by petition of holders of title to land.

(b) That the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but that taxes for any indebtedness of or for the improvement district contracted following such exclusion will not be levied upon land in the excluded territory following such exclusion.

(c) That following such exclusion, the taxable land in the territory remaining in said improvement district shall continue to be taxed to provide funds for the purposes of said improvement district.

SEC. 61.1503 RESOLUTION: STATEMENT AS TO MAP OF
TERRITORY: MAP TO GOVERN DETAILS

The resolution of intention to exclude shall also state that a map showing the exterior boundaries of the proposed territory to be excluded, with relation to the territory remaining in said improvement district, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed exclusion.

SEC. 61.1504 RESOLUTION: STATEMENT AS TO
HEARING

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the proposed exclusion and the effect of such exclusion upon the City, the improvement district and the territory to be excluded.

(b) That at such time and place any person interested will be heard.

SEC. 61.1505 NOTICE OF HEARING

The City Clerk shall cause notice of the hearing to be given by publishing a copy of the resolution of intention to exclude once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution of intention to exclude to be posted in three (3) public places within the area proposed to be excluded and within the affected improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1506 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place so fixed in the resolution of intention to exclude, the Council shall proceed with the hearing. At the hearing, any person interested may appear and present any matters material to the questions set forth in the resolution of intention to exclude. The hearing may be continued from time to time by the Council.

MICROFILMED

SEC. 61.1507 RESOLUTION AS TO EXCLUSION

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary or desirable to exclude said territory. If so, the resolution shall also state:

(a) The reasons why such exclusion is necessary or desirable.

(b) That the exterior boundaries of the improvement district following such exclusion are set forth on a map on file with the City Clerk, which map shall govern all details as to the extent of said improvement district.

SEC. 61.1508 FINALITY OF DECISION

The determinations made in the resolution of exclusion shall be final and conclusive.

SEC. 61.1509 TAXATION AFTER EXCLUSION

After the exclusion of territory from the improvement district pursuant to this division, the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied, to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but all taxes for any indebtedness of or for the improvement district contracted following such exclusion shall be levied exclusively upon the taxable property remaining in the improvement district.

SEC. 61.1510 EFFECTIVE DATE OF EXCLUSION

On and after the date the City Council adopts the resolution of exclusion, the territory named therein shall be excluded from and no longer form a part of the improvement district.

DIVISION 16: UTILITY IMPROVEMENT DISTRICTS -
DISSOLUTION BY COUNCIL

SEC. 61.1601 RESOLUTION OF INTENTION TO DISSOLVE

Whenever the Council deems it necessary for any improvement district formed pursuant to this ordinance to be dissolved, it shall by resolution declare its intention to dissolve the improvement district.

SEC. 61.1602 CONTENTS OF RESOLUTION

The resolution of intention shall state:

(a) The reason why the improvement district should be dissolved.

(b) That no bonds have been issued for the improvement district or are outstanding and that no other indebtedness or liability of or for the improvement district is outstanding.

(c) That a map showing the exterior boundaries of the improvement district with relation to the territory immediately contiguous thereto is on file with the City Clerk and is available for inspection by any person or persons interested.

(d) The time and place for a hearing by the Council on the question of the dissolution of the improvement district.

(e) That at such time and place any person interested, including all holders of title to property in the City or in the improvement district, will be heard.

SEC. 61.1603 NOTICE OF HEARING: PUBLICATION OF
RESOLUTION: POSTING OF RESOLUTION

The City Clerk shall cause a copy of the resolution to be published once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution

to be posted in three (3) public places within the improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause a copy of the resolution to be mailed at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1604 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the proposed dissolution. The hearing may be continued from time to time by the Council.

SEC. 61.1605 RESOLUTION DETERMINING NECESSITY OF DISSOLUTION: BOUNDARIES: EFFECT OF DETERMINATIONS

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary to dissolve the improvement district. If so, the resolution shall state that the exterior boundaries of the improvement district are set forth on a map on file with the City Clerk and shall declare the improvement district dissolved. The determinations so made shall be final and conclusive.

SEC. 61.1606 EFFECTIVE DATE OF DISSOLUTION

When the resolution declaring an improvement district dissolved is adopted by the City Council, the dissolution of such improvement district is complete.

DIVISION 17: UTILITY IMPROVEMENT DISTRICTS -
MISCELLANEOUS

SEC. 61.1701 DEFINITION: LAST EQUALIZED COUNTY
ASSESSMENT ROLL

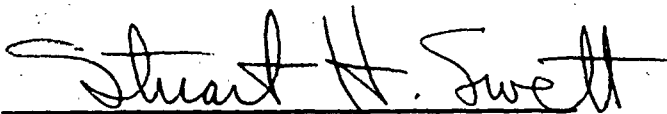
The term, "last equalized county assessment roll," as used in this ordinance means the entire assessment roll for San Diego County as defined and determined by the provisions of Chapter 3 of Part 3 of Division 1 of the Revenue and Taxation Code of the State of California.

SEC. 61.1702 SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this ordinance or the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Stuart H. Swett
Deputy City Attorney

Passed and adopted by the Council of The City of San Diego on JAN 20 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1969 DEC 30 PM 4:15.
 SAN DIEGO, CALIF.

| Councilmen | Yeas | Nays | Excused | Absent |
|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Helen Cobb | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sam T. Loftin | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Henry L. Landt | <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"/> |
| Floyd L. Morrow | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bob Martinet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Allen Hitch | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mike Schaefer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Frank Curran | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 6 1970, and on JAN 20 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By _____, Deputy.

| | |
|---|----------------------------|
| Office of the City Clerk, San Diego, California | |
| Ordinance Number <u>10214</u> | Adopted <u>JAN 20 1970</u> |

ATTORNEY (S)

City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
ORDINANCE AMENDING CHAPTER VI, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISIONS 9 THROUGH 17 RELATING TO THE ES-
TABLISHMENT OF UTILITY IMPROVEMENT DISTRICTS
WITHIN THE CITY.

RECEIVED
CITY CLERK'S OFFICE
1970 JAN 30 PM 3:45
SAN DIEGO, CALIF.

ORDINANCE NO. 10214
(NEW SERIES)

ORDINANCE AMENDING CHAPTER VI, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISIONS 9 THROUGH 17 RELATING TO THE ESTABLISHMENT OF UTILITY IMPROVEMENT DISTRICTS WITHIN THE CITY.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VI, Article 1, of the San Diego Municipal Code be amended by adding Divisions 9 through 17 to read as follows:

DIVISION 9: UTILITY IMPROVEMENT DISTRICTS — ESTABLISHMENT — INTENT AND PURPOSE

SEC. 61.0901 STATEMENT OF POLICY

The Council hereby finds that in order to provide an orderly means for installing public works, improvements and facilities in areas within the City, it is necessary for the City to exercise the powers it has by virtue of being a home rule city and to provide for a procedure for the formation of improvement districts within the City and for the issuance of bonds by the City on behalf of such improvement districts, said procedure to be an alternative to any others provided by, under or pursuant to the Charter of the City and the general laws of the state. The works, improvements and facilities which may be acquired, constructed, completed, repaired and financed pursuant to the provisions of this ordinance shall consist of: (i) works, improvements and facilities for the collection, treatment and disposal of sewage; (ii) works, improvements and facilities for the production, treatment and distribution of water; and (iii) works, improvements and facilities for such other utility services as the City may now or hereafter have the power to provide.

SEC. 61.0902 CITATION

This ordinance, consisting of Divisions 9 through 17 of Article 1, Chapter VI, of the San Diego Municipal Code, may be cited as the San Diego Utility Improvement Districts Procedural Ordinance.

DIVISION 10: UTILITY IMPROVEMENT DISTRICTS — FORMATION

SEC. 61.1001 RESOLUTION FOR FORMATION

Whenever the Council deems it necessary to form an improvement district within the City and to issue bonds which shall be special obligations of and be issued on behalf of such improvement district, for the acquisition, construction, completion, repair or financing of any or all works, improvements and facilities referred to in Division 9 of this ordinance, the Council shall by resolution declare its intention to form an improvement district and to issue such bonds.

SEC. 61.1002 CONTENTS OF RESOLUTION: INTENTION TO FORM DISTRICT

The resolution of intention shall state that the Council intends to form an improvement district of any portion of the City, which in the opinion of the Council will be benefited by the acquisition and construction of certain improvements and to incur bonded indebtedness by the issuance of bonds on behalf of such improvement district.

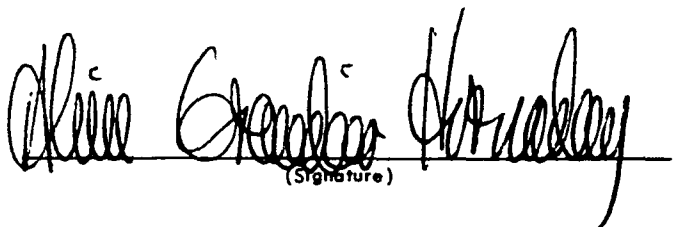
I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10214
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

January 29, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on January 29, 1970


(Signature)

SEC. 61.1003 RESOLUTION: PURPOSE OF DEBT: AMOUNT: PROPERTY TAXABLE TO PAY DEBT

The resolution of intention shall also state:

(a) The purposes for which the proposed bonds are to be issued which may include any or all of the purposes stated in Division 9 hereof.

(b) The estimated cost of the accomplishment of such purposes and the amount of bonds to be issued therefor, which may include incidental expenses, including without limitation, engineering, appraisal, legal fees, land and rights-of-way acquisition, reserve funds and expenses of financing the district and expenses of all proceedings for the authorization, issuance and sale of the bonds.

(c) That the bonds shall not be general obligations of the City, nor shall the credit of the City or the property or revenue of any public utility owned by the City be pledged for the payment thereof; and that the bonds shall be special obligations of and be issued on behalf of the improvement district; and that taxes for the payment of the interest on the bonds and the principal thereof shall be levied exclusively upon the taxable land in the improvement district.

(d) The maximum interest rate which the bonds may bear, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1004 RESOLUTION: DESCRIPTION OF IMPROVEMENT: MAP OF DISTRICT: AVAILABILITY FOR INSPECTION

The resolution of intention shall also state that such resolution, together with a general description of the proposed improvement and a map showing the exterior boundaries of the proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1005 RESOLUTION: TIME AND PLACE OF HEARING: WHO MAY BE HEARD

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the formation and extent of the proposed improvement district, the proposed improvement, the estimated cost and the amount of bonds to be issued.

(b) That at the time and place specified in the resolution any person interested will be heard; and that any holder of title to taxable land within the proposed improvement district may file with the City Clerk at any time prior to the time set for the hearing thereon written protest, to the formation of the proposed improvement district.

SEC. 61.1006 NOTICE OF HEARING: PUBLICATION: POSTING: MAILING

Notice of the hearing shall be given by publishing a copy of the resolution of intention once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. Such notice shall also be given by posting a copy of the resolution of intention in three (3) public places within the proposed improvement district at least fifteen (15) days before the time fixed for the hearing. Such notice shall also be given by mailing a copy of said resolution of intention at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the proposed improvement district as such ownership is shown on the last equalized county assessment roll. The City Clerk shall cause all the above notices to be given.

SEC. 61.1007 TIME AND PLACE: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the questions set forth in the resolution of intention. The Council shall hear and pass upon all written protests filed by the holders of title to taxable land within the proposed improvement district. Such protests must be in writing, must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The hearing may be continued from time to time by the Council.

SEC. 61.1008 CHANGES: PURPOSE OF DEBT: AMOUNT: BOUNDARIES

The Council may change the purposes for which the proposed bonds are to be issued, the estimated cost, or the amount of the bonds. The Council may also change the boundaries of the proposed improvement district, but not so as to include any territory which will not, in its judgment, be benefited by the proposed improvement.

SEC. 61.1009 NOTICE OF INTENTION TO MAKE CHANGE: PUBLICATION: POSTING: CONTENTS

The purposes, estimated cost, or amount of bonds to be issued or the boundaries of the proposed improvement district shall not be changed by the Council except after adoption by the Council of a resolution declaring its intention to order changes and fixing a time and place for a hearing on said changes. The resolution shall be published, posted and mailed in the same manner as set forth in Section 61.1006 of this Division 10. The resolution shall state the purposes, estimated cost and debt as originally proposed, and as changed if such is the case, and that the exterior boundaries as originally proposed, and as changed if such is the case, are set forth on maps on file with the City Clerk and that the map showing the boundaries as changed, shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1010 HEARING ON CHANGE: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention to make changes the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the matters contained in the resolution. Written protests to the proposed changes may be filed with the City Clerk by the holder of title to taxable land within the proposed improvement district at any time up to the hour set for hearing on said proposed changes. The hearing may be continued from time to time by the Council.

SEC. 61.1011 PROTESTS BY HOLDERS OF TITLE TO ONE-HALF OF VALUE OF TAXABLE LAND: RESOLUTION OF NECESSITY TO INCUR DEBT: CONTENTS

If written protests are filed by the holders of title to one-half of the value of the taxable land within the proposed improvement district, as shown by the last equalized assessment roll of the county, prior to the hearing on the resolution of intention or prior to the hearing on any proposed changes with respect thereto, and if there remain on file protests representing one-half of the value of such taxable land at the time the Council has concluded the hearing on said resolution of intention and any hearing on proposed changes with respect thereto, further proceedings shall not be taken and the Council shall declare the proceedings abandoned. If such protests do not remain on file at the conclusion of said hearing or hearings, the Council shall by resolution determine whether or not it is deemed necessary to form the improvement district and issue bonds which shall be special obligations of and be issued on behalf of the improvement district. If the Council determines that it is necessary to form the improvement district and issue bonds, the resolution shall also state, in accordance with the prior proceedings:

(a) The purposes for which the proposed bonds are to be issued.

(b) The estimated cost of the accomplishment of such purposes and the amount of the proposed bonds.

(c) That the exterior boundaries of the portion of the City which will be benefited by the accomplishment of the purpose are set forth on a map on file with the City Clerk, which map shall govern for all details as to the extent of the improvement district.

(d) That such portion of the City set forth on the map shall thereupon constitute and be known by the name designated in the resolution.

SEC. 61.1012 DISAPPROVAL OF FORMATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to constitute the improvement district will not be benefited thereby, and will be injured thereby, the Council shall by resolution disapprove the formation.

SEC. 61.1013 EFFECTIVE DATE: EFFECT OF DETERMINATIONS IN RESOLUTION

From and after the date the City Council adopts the resolution forming the improvement district, the area named therein shall constitute the improvement district within the City bearing the name set forth in the resolution. The determinations made in the resolution forming the improvement district shall be final and conclusive.

SEC. 61.1014 EFFECT OF FORMATION ON ELECTION PROCEEDINGS AND TAX LEVY

After the formation of the improvement district pursuant to this ordinance, the Council may, by resolution, at such time or times as it deems proper, issue bonds on behalf of the improvement district, and thereafter all proceedings shall be limited and shall apply only to the improvement district, and taxes for the payment of the bonds and the interest thereon shall be levied exclusively upon the taxable land in the improvement district.

DIVISION 11: UTILITY IMPROVEMENT DISTRICTS — ISSUANCE AND SALE OF BONDS

SEC. 61.1101 ISSUANCE BY COUNCIL RESOLUTION

The Council may, by resolution, at such time or times as it deems proper, issue bonds which shall be special obligations of and be issued on behalf of the improvement district for the whole or any part of the total amount authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear until the full amount of such bonds authorized has been issued.

SEC. 61.1102 SERIES OF BONDS, DIFFERENT MATURITY DATES: MAXIMUM TERM OF SERIES

The full amount of the authorized bonds may be divided into two or more series and different dates fixed for the bonds of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed forty (40) years from the date of the series.

SEC. 61.1103 FORM OF BONDS AND COUPONS: TIME OF PRINCIPAL PAYMENTS

The Council shall, by resolution, prescribe the form of the bonds and of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five (5) years from the date of the bonds or the date of the bonds of each series, respectively.

SEC. 61.1104 INTEREST RATE: PAYMENT DATES

The bonds shall bear interest at a rate or rates not to exceed the rate specified in the resolution of intention, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1105 CALL AND REDEMPTION BEFORE MATURITY: PROVISION IN BOND

The Council may provide for the call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect.

SEC. 61.1106 DENOMINATION

The denomination of the bonds shall be stated in the resolution providing for their issuance.

SEC. 61.1107 PLACE OF PAYMENT

The principal and interest on the bonds shall be payable in lawful money of the United States at the office of the Treasurer of the City or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

SEC. 61.1108 FORM OF BONDS: DATE: NUMBER: SIGNING AND COUNTERSIGNING: SEAL: MECHANICAL REPRODUCTION OF SIGNATURES

The bonds shall be dated, numbered consecutively, signed by the Mayor and Treasurer of the City, countersigned by the City Clerk, and the official seal of the City impressed, imprinted or reproduced thereon. The interest coupons of the bonds shall be signed by the Treasurer. All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of the signatures or countersignatures to the bonds shall be manually affixed.

SEC. 61.1109 BONDS OF IMPROVEMENT DISTRICTS: STATEMENT OF LIMITATION ON LEVY

The bonds shall be special obligations of and be issued on behalf of the improvement district, and shall be designated in accordance with the prior proceedings. Each bond shall state, in substance, that the bond is not a general obligation of the City, nor is the credit of the City or the property or revenue of any public utility owned by the City pledged for its payment; and that the bond is a special obligation of and is issued on behalf of the improvement district; and that taxes levied for the payment of the interest thereon and principal thereof shall be levied exclusively upon the taxable land in the improvement district.

SEC. 61.1110 BIDS FOR BONDS: SALE TO HIGHEST RESPONSIBLE BIDDER: REJECTION OF BIDS: READVERTISEMENT: PRIVATE SALE

The bonds shall be sold for such price or prices as the Council in its discretion shall determine, which may be at or less than the par value thereof. Before selling the bonds or any part thereof, the City shall give notice inviting sealed bids, in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded by resolution to the highest responsible bidder. If no bids are received, or if the Council determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

SEC. 61.1111 PAYMENT OF PROCEEDS INTO CITY TREASURY: SPECIAL IMPROVEMENT FUNDS: EXPENDITURE FOR PURPOSE OF DEBT: APPLICATION OF SURPLUS ON ACCOMPLISHMENT OF PURPOSE

The proceeds from the sale of bonds, except for premium and accrued interest, if any, shall be paid into the treasury of the City, placed to the credit of a special improvement fund, and expended only for the purpose for which the indebtedness was created. When such purpose has been accomplished, any monies remaining in the special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Premium and accrued interest, if any, shall be paid into the treasury and placed to the credit of the fund to be used for the payment of the principal of and interest on the bonds.

SEC. 61.1112 INTEREST PAID FROM BOND PROCEEDS: MAXIMUM LIMITATION

Interest on the bonds coming due before the proceeds of a tax levied at the next general tax levy after the sale of the bonds are available, and interest on any bonds coming due before the expiration of one year following completion of the acquisition and construction of the works and improvements for which the bonds were issued, may be paid from the proceeds of the sale of the bonds.

DIVISION 12: UTILITY IMPROVEMENT DISTRICTS — LEVY OF TAX TO PAY PRINCIPAL AND INTEREST ON BONDS

SEC. 61.1201 PAYMENT OF PRINCIPAL AND INTEREST

At the time of making the general tax levy after the issuance of the bonds and annually thereafter until the bonds are paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on the bonds as they become due, the Council shall cause a tax to be levied exclusively upon the land in the improvement district sufficient to pay the interest on the bonds and such part of the principal as will become due before the proceeds of such a tax levied at the next general tax levy will be available. Such tax shall be levied and collected at the same time as other City taxes, and shall be used only for the payment of interest on and principal of the bonds. Taxes for the payment of such bonds shall constitute a lien on all of the taxable land within the improvement district. Such liens shall be of the same force and effect as other liens for City taxes and their collection may be enforced by the same means as provided for the enforcement of liens for other City taxes.

Nothing in this section shall be deemed to prevent the City Council from using any funds of the City which are attributable to the district for payment of such principal and interest, and to the extent that such funds are in the treasury set apart for that purpose, the tax required by this section need not be levied. For purposes of this section the phrase "funds of the City which are attributable to the district" shall only mean grants from other governmental agencies to the City on behalf of the district or revenues raised by operation of the facilities constructed under this ordinance within the district including, but not limited to connection fees, to the extent that said revenues are legally available.

DIVISION 13: UTILITY IMPROVEMENT DISTRICTS — ANNEXATION BY PETITION

SEC. 61.1301 AUTHORIZATION: CONTIGUITY OF PARCELS TO BE ANNEXED

Any portion of the City contiguous to an improvement district thereof may be annexed to such improvement district in the manner provided in this ordinance.

SEC. 61.1302 PETITION FOR ANNEXATION: FORM: FILING

Annexation proceedings may be initiated by petition. A petition, which may consist of any number of separate instruments, shall be filed with the City Clerk.

SEC. 61.1303 SIGNATURES REQUIRED

A petition shall be signed by the holders of title to at least sixty percent (60%) of the area of land in the portion proposed to be annexed to the improvement district, which land shall have an assessed valuation of not less than fifty percent (50%) of the land proposed to be annexed.

SEC. 61.1304 CONTENTS OF PETITION: DESCRIPTION OF AREA: MAP: TERMS AND CONDITIONS: PRAYER

The petition for annexation shall contain all of the following:

(a) A description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the area proposed to be annexed.

(b) The terms and conditions upon which petitioners wish the proposed area to be annexed.

(c) A prayer that the Council declare such area to be annexed to the improvement district.

SEC. 61.1305 REIMBURSEMENT OF CITY FOR EXPENSES: CHECK ACCOMPANYING PETITION

The petition for annexation shall be accompanied by a certified check payable to the order of the City Treasurer in such amount as may be estimated by the City Clerk as being sufficient to reimburse the City for the expenses of processing and publishing the petition and preparing and making the filings required by law.

SEC. 61.1306 EXAMINATION OF PETITION

Within twenty (20) days of the date of the filing of the petition for annexation, the City Clerk shall examine the petition and determine whether it is signed by the required number of holders of title.

SEC. 61.1307 CERTIFICATE OF RESULT OF EXAMINATION

When the City Clerk has completed his examination of the petition for annexation, he shall attach to it his certificate, properly dated, showing the result of such examination.

SEC. 61.1308 CERTIFICATES OF SUFFICIENCY AND INSUFFICIENCY

If the City Clerk finds from the examination that the petition for annexation is signed by the requisite number of holders of title, he shall certify that the petition is sufficient and shall present the petition to the Council for preliminary approval. If he finds it is not so signed, he shall certify that the petition is insufficient.

SEC. 61.1309 CERTIFICATE OF INSUFFICIENCY: SUPPLEMENTAL PETITIONS

If the City Clerk certifies in his certificate that the petition for annexation is insufficient, the petition may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate.

SEC. 61.1310 EXAMINATION OF SUPPLEMENTAL PETITIONS: CERTIFICATES

Within twenty (20) days after the filing of any supplemental petition

or petitions, the City Clerk shall examine them and certify to the result of such examination as provided in Sections 61.1306 to 61.1308, inclusive. If the City Clerk certifies that the petition, together with the supplemental petition or petitions, as the case may be, is sufficient, he shall present same to the Council for preliminary approval.

SEC. 61.1311 NOTICE OF HEARING ON PETITION: PUBLICATION: POSTING: MAILING

After the Council has given its preliminary approval by resolution to the petition, together with such supplemental petition or petitions as have been filed, if any, the City Clerk shall cause the publication, posting and mailing as provided in Sections 61.1312 to 61.1315, inclusive, to be accomplished without delay.

SEC. 61.1312 PUBLICATION OF PETITION FOR ANNEXATION: NOTICE OF TIME AND PLACE OF MEETING

The text of the petition for annexation shall be published once at least ten (10) days prior to the time at which it is to be presented to the Council, in the City Official Newspaper, together with a notice setting the time and place of the meeting at which the petition will be presented. If the petition is contained upon one or more instruments, only one copy of the petition need be published.

SEC. 61.1313 PUBLICATION OF SIGNATURES

No more than five (5) of the names attached to the petition for annexation need appear in the publication of the petition and notice, but the number of signers shall be stated.

SEC. 61.1314 POSTING OF PETITION AND NOTICE

The petition and notice shall also be posted in three (3) public places in the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1315 MAILING OF PETITION AND NOTICE

The petition and notice shall also be mailed at least fifteen (15) days prior to the hearing to each holder of title to land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1316 HEARING ON PETITION: WHO MAY APPEAR: CONTINUANCE

The Council shall proceed to hear the petition at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1317 DETERMINATION OF BENEFITS: RESOLUTION APPROVING ANNEXATION: CONTENTS OF RESOLUTION

At the conclusion of the hearing, if the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve the annexation and the terms and conditions thereof.

The resolution shall describe the annexed territory, which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area.

SEC. 61.1318 DISAPPROVAL OF ANNEXATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to be annexed to the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the annexation.

SEC. 61.1319 EFFECTIVE DATE OF ANNEXATION

On and after the date the Council adopts the resolution approving the annexation, the area named therein is added to and forms a part of the improvement district.

SEC. 61.1320 TAXABILITY OF ANNEXED AREA: LIABILITY FOR OUTSTANDING DEBT

The land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation as if the annexed area had always been a part of the improvement district.

SEC. 61.1321 ENFORCEMENT OF TERMS AND CONDITIONS OF ANNEXATION

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 14: UTILITY IMPROVEMENT DISTRICTS — ANNEXATION INITIATED BY THE COUNCIL

SEC. 61.1401 RESOLUTION FOR ANNEXATION TO IMPROVEMENT DISTRICT: CONTIGUITY OF AREA TO BE ANNEXED

The Council by resolution may initiate proceedings for the annexation of territory within the City contiguous to an improvement district to such improvement district.

SEC. 61.1402 CONTENTS OF RESOLUTION

The resolution proposing annexation shall:

(a) Declare that proceedings have been initiated by the Council pursuant to this ordinance to annex territory within the City to an improvement district and the name of the improvement district involved.

(b) State the reason for proposing the annexation.

(c) Set forth a description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk which map shall govern for all details as to the extent of the area proposed to be annexed.

(d) State the terms and conditions of the annexation.

(e) State that the holders of title to any of the land sought to be annexed may file with the City Clerk, at any time prior to the hearing, written protests to the annexation or the annexation upon such terms and conditions.

(f) Fix the time and place of a meeting at which the Council will receive written protests that have heretofore been filed with the City Clerk and hear from any and all persons interested in the proposed annexation.

SEC. 61.1403 PUBLICATION OF ANNEXATION RESOLUTION

The City Clerk shall cause the text of the resolution proposing annexation to be published once at least ten (10) days prior to the time of hearing in the City Official Newspaper.

SEC. 61.1404 POSTING OF ANNEXATION RESOLUTION

The City Clerk shall also cause a copy of the resolution proposing annexation to be posted in three (3) public places within the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1405 MAILING OF RESOLUTION

The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1406 HEARING ON RESOLUTION: WHO MAY APPEAR: CONTINUANCE

The Council shall proceed with the hearing at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1407 EFFECT OF PROTESTS BY OWNERS OF ONE-HALF OF VALUE OF TERRITORY TO BE ANNEXED

If, prior to the hearing, written protests have been filed by the holders of title to one-half of the value of the taxable land proposed to be annexed as shown by the last equalized county assessment roll, and have not been withdrawn as provided in Section 61.1408 hereof, further proceedings shall not be taken, and the Council shall terminate the annexation proceedings by a resolution so stating.

SEC. 61.1408 DETERMINATION OF BENEFITS: RESOLUTION OF APPROVAL OF ANNEXATION: CONTENTS OF RESOLUTION

Any written protest may be withdrawn at any time prior to the conclusion of the hearing by the person or persons who have filed same. If at the conclusion of the hearing there remain on file written protests, if any, which represent less than one-half of the value of the taxable land proposed to be annexed, and, if at the conclusion of the hearing the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve such annexation.

The resolution shall describe the territory annexed which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area. The resolution shall also state the terms and conditions of annexation as theretofore determined by resolution of the Council.

SEC. 61.1409 DISAPPROVAL OF ANNEXATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that either the area proposed to be annexed to the improvement district will not be benefited thereby or that the improvement district to which the area is proposed to be annexed will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove such annexation.

SEC. 61.1410 EFFECTIVE DATE OF ANNEXATION

On and after the date the City Council adopts the resolution approving the annexation, the area described therein is added to and forms a part of the improvement district.

SEC. 61.1411 TAXABILITY OF ANNEXED AREA: LIABILITY FOR DEBT OUTSTANDING AT TIME OF ANNEXATION

The taxable land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation, as if the annexed area had always been a part of the improvement district.

SEC. 61.1412 ENFORCEMENT OF TERMS AND CONDITIONS

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 15: UTILITY IMPROVEMENT DISTRICTS — EXCLUSION OF TERRITORY

SEC. 61.1501 INITIATION OF PROCEEDINGS

Proceedings to exclude territory from an improvement district formed pursuant to this ordinance may be initiated by the Council upon its own motion, or shall be initiated by the Council upon receipt of a petition for exclusion filed with the City Clerk and signed by not less than the holders of title to at least sixty percent (60%) of the taxable land in the portion proposed to be excluded from the improvement district, which taxable land shall have an assessed valuation of not less than fifty percent (50%) of the taxable land proposed to be excluded, which states reasons such exclusion will be beneficial to the City, the improvement district and the territory to be excluded.

SEC. 61.1502 RESOLUTION OF INTENTION

Upon adoption of said motion to initiate exclusion proceedings or upon receipt of said petition for exclusion, the Council shall adopt a resolution of intention to exclude which shall state:

(a) The method by which said exclusion proceedings were initiated, by motion of the Council or by petition of holders of title to land.

(b) That the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but that taxes for any indebtedness of or for the improvement district contracted following such exclusion will not be levied upon land in the excluded territory following such exclusion.

(c) That following such exclusion, the taxable land in the territory remaining in said improvement district shall continue to be taxed to provide funds for the purposes of said improvement district.

SEC. 61.1503 RESOLUTION: STATEMENT AS TO MAP OF TERRITORY: MAP TO GOVERN DETAILS

The resolution of intention to exclude shall also state that a map showing the exterior boundaries of the proposed territory to be excluded, with relation to the territory remaining in said improvement district, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed exclusion.

SEC. 61.1504 RESOLUTION: STATEMENT AS TO HEARING

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the proposed exclusion and the effect of such exclusion upon the City, the improvement district and the territory to be excluded.

(b) That at such time and place any person interested will be heard.

SEC. 61.1505 NOTICE OF HEARING

The City Clerk shall cause notice of the hearing to be given by publishing a copy of the resolution of intention to exclude once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution of intention to exclude to be posted in three (3) public places within the area proposed to be excluded and within the affected improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1506 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place so fixed in the resolution of intention to exclude, the Council shall proceed with the hearing. At the hearing, any person interested may appear and present any matters material to the questions set forth in the resolution of intention to exclude. The hearing may be continued from time to time by the Council.

SEC. 61.1507 RESOLUTION AS TO EXCLUSION

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary or desirable to exclude said territory. If so, the resolution shall also state:

(a) The reasons why such exclusion is necessary or desirable.

(b) That the exterior boundaries of the improvement district following such exclusion are set forth on a map on file with the City Clerk, which map shall govern all details as to the extent of said improvement district.

SEC. 61.1508 FINALITY OF DECISION

The determinations made in the resolution of exclusion shall be final and conclusive.

SEC. 61.1509 TAXATION AFTER EXCLUSION

After the exclusion of territory from the improvement district pursuant to this division, the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied, to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but all taxes for any indebtedness of or for the improvement district contracted following such exclusion shall be levied exclusively upon the taxable property remaining in the improvement district.

SEC. 61.1510 EFFECTIVE DATE OF EXCLUSION

On and after the date the City Council adopts the resolution of exclusion, the territory named therein shall be excluded from and no longer form a part of the improvement district.

DIVISION 16: UTILITY IMPROVEMENT DISTRICTS — DISSOLUTION BY COUNCIL

SEC. 61.1601 RESOLUTION OF INTENTION TO DISSOLVE

Whenever the Council deems it necessary for any improvement district formed pursuant to this ordinance to be dissolved, it shall by resolution declare its intention to dissolve the improvement district.

SEC. 61.1602 CONTENTS OF RESOLUTION

The resolution of intention shall state:

(a) The reason why the improvement district should be dissolved.

(b) That no bonds have been issued for the improvement district or are outstanding and that no other indebtedness or liability of or for the improvement district is outstanding.

(c) That a map showing the exterior boundaries of the improvement district with relation to the territory immediately contiguous thereto is on file with the City Clerk and is available for inspection by any person or persons interested.

(d) The time and place for a hearing by the Council on the question of the dissolution of the improvement district.

(e) That at such time and place any person interested, including all holders of title to property in the City or in the improvement district, will be heard.

SEC. 61.1603 NOTICE OF HEARING: PUBLICATION OF RESOLUTION: POSTING OF RESOLUTION

The City Clerk shall cause a copy of the resolution to be published once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution to be posted in three (3) public places within the improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause a copy of the resolution to be mailed at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1604 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the proposed dissolution. The hearing may be continued from time to time by the Council.

SEC. 61.1605 RESOLUTION DETERMINING NECESSITY OF DISSOLUTION: BOUNDARIES: EFFECT OF DETERMINATIONS

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary to dissolve the improvement district. If so, the resolution shall state that the exterior boundaries of the improvement district are set forth on a map on file with the City Clerk and shall declare the improvement district dissolved. The determinations so made shall be final and conclusive.

SEC. 61.1606 EFFECTIVE DATE OF DISSOLUTION

When the resolution declaring an improvement district dissolved is adopted by the City Council, the dissolution of such improvement district is complete.

DIVISION 17: UTILITY IMPROVEMENT DISTRICTS -- MISCELLANEOUS

SEC. 61.1701 DEFINITION: LAST EQUALIZED COUNTY ASSESSMENT ROLL

The term, "last equalized county assessment roll," as used in this ordinance means the entire assessment roll for San Diego County as defined and determined by the provisions of Chapter 3 of Part 3 of Division 1 of the Revenue and Taxation Code of the State of California.

SEC. 61.1702 SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this ordinance or the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 6, 1970.

Passed and adopted by the Council of The City of San Diego on January 20, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.

JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.

By **ELFA F. HAMEL,**
Deputy.

(SEAL)
Published Jan. 29, 1970

V-640