

ORDINANCE NO. 0 - 15032  
(New Series)

(O.80-42)  
(Rev.)

OCT 2 1979

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, APPROVING THAT CERTAIN LEASE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO OF CERTAIN PROPERTY LOCATED IN THE GENERAL AREA OF E, F AND G STREETS BETWEEN FIRST AND FOURTH AVENUES FOR THE PURPOSE OF CONSTRUCTION AND OPERATION OF PUBLIC PARKING FACILITIES.

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") proposes to acquire a certain site (the "Site") within the Horton Plaza Redevelopment Project and proposes to construct certain parking facilities thereon (the "Facility") and to lease the Site to the City of San Diego (the "City") for use as a public parking facility (the "Lease"), a copy of which is on file with the office of the City Clerk as Document No. 00 - 15032.

WHEREAS, the Agency proposes to finance such acquisition through the issuance of revenue bonds pursuant to the Community Redevelopment Law (Part I of Division 24 of the Health and Safety Code of the State of California), such bonds to be payable as to principal and interest from certain revenues including the proceeds of rents to be paid by the City under the terms of said Lease; and

WHEREAS, Article 9, Chapter 5, Part I, Division 2, Title 5 (commencing with Section 54240) of the Government Code of the State of California requires that prior to entering into said Lease the City shall have approved it by ordinance which shall be subject to referendum; NOW, THEREFORE,

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

Section 1. This Council hereby approves the Lease in the form on file with the City Clerk, provided that the amount of annual base rent payable by the City thereunder shall not exceed \$3,000,000.

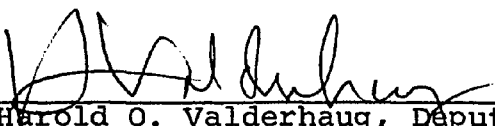
Section 2. Subject to the provisions of Section 1 and subsequent to the effective date hereof, the City Manager is hereby authorized and empowered to execute said Lease and the City Clerk is authorized and directed to attest thereto and to affix the official seal of the City thereto and to cause said Lease, following execution by the Agency, to be recorded with the County Recorder of San Diego County.

Section 3. Any provisions of the San Diego Municipal Code, or appendices thereto inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this ordinance.

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 5. The City Clerk shall certify to the passage of this ordinance by a two-thirds' vote of the Council and cause the same to be published once in the official newspaper within fifteen (15) days after its adoption, and it shall take effect on the 31st day after its final passage.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug, Deputy

HOV:dm  
9/13/79  
Or.Dept.: CCDC

Passed and adopted by the Council of The City of San Diego on OCT 2 1979,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

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

(Seal)

By Walter Blorham, Deputy.

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

SEP 18 1979, and on OCT 2 1979.

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.

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

(Seal)

By Walter Blorham, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0 - 15032 Adopted OCT 2 1979