

ORDINANCE NO. 0-15375
(New Series)

(O.81-80)

OCT 26 1980

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 COLUMBIA REDEVELOPMENT PROJECT FOR THE PURPOSE OF CONSTRUCTION AND OPERATION OF A CONVENTION AND EXHIBITION CENTER.

WHEREAS, the Redevelopment Agency of the City of San Diego (the "Agency") proposes to acquire a certain site (the "site") within the Columbia Redevelopment Project and proposes to construct certain public facilities thereon (the "Facility") and to lease the Site to the City of San Diego (the "City") for use as a Convention and Exhibition Center facility (the "Lease Agreement"), a copy of which is on file with the office of the City Clerk as Document No. 00-15375

WHEREAS, the Agency proposes to finance such acquisition and construction through the issuance of lease 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 Agreement; 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 Agreement 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 Agreement 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 Twenty Five Million Dollars (\$25,000,000).

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 Agreement 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 Agreement, 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Code, or appendices thereto inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this ordinance.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:ps
10/6/80
Or.Dept. CCDC

0-15375

Passed and adopted by the Council of The City of San Diego on OCT 28 1980,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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"/>
Mike Gotch	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Rita Anderson, 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

OCT 14 1980, and on OCT 28 1980.

~~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 Rita Anderson, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-15375</u>	Adopted <u>OCT 28 1980</u>

CERTIFICATE OF PUBLICATION

San Diego, City of
202 C St., 12th floor
San Diego, CA 92101
Attn: Rita Andrews

IN THE MATTER OF
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
COLUMBIA REDEVELOPMENT PROJECT etc.

NO.

15375

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WHEREAS, the Agency proposes to finance such acquisition and construction through the issuance of lease revenue bonds pursuant to the Community Redevelopment Law (Part 1 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 revenue including the proceeds of rents to be paid by the City under the terms of said Lease Agreement; and

WHEREAS, Article 9, Chapter 5, Part 1, 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 Agreement 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 Agreement 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 Twenty Five Million Dollars (\$25,000,000).

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 Agreement 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 Agreement, 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.

I, Camille Simpson

, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

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is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to

November 10, 1980

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 10th day of Nov 5 1980

Camille Simpson
(Signature)

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The City Clerk shall certify to the passage of this Ordinance as the result of the vote of the Council and cause the same to be published once in the official newspaper within ten days after its adoption, and it shall take effect on the day after its final passage.
Produced on 10-14-80
Passed and adopted by the Council of The City of San Diego on 10-28-80

AUTHENTICATED BY:
BOB WILSON,
Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
DEAL
BY RITA ANDREWS, Deputy
November 10, 1980