

(O-84-46)

ORDINANCE NUMBER O- 16065 (New Series)

Adopted on OCT 24 1983

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 1,
DIVISION 19, OF THE SAN DIEGO MUNICIPAL CODE BY
ADDING SECTION 61.1906.1 AND AMENDING SECTIONS
61.1902, 61.1903, 61.1908.1 AND 61.1911.

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

Section 1. That Chapter VI, Article 1, Division 19 of the San Diego Municipal Code be and the same is hereby amended by adding section 61.1906.1 to read as follows:

SEC. 61.1906.1 RULES AND REGULATIONS OF THE CITY MANAGER REGARDING ASSESSMENT DEFERRAL OPTIONS FOR LOW INCOME PROPERTY OWNERS

There shall be two (2) options available to property owners applying for assessment deferral.

A. The City Manager may pay the full amount of the assessment due or to become due upon applicants property.

B. Following the issuance of bonds, the City Manager may pay the annual bond debt obligation, as the payments become due, on behalf of the property owner for a period not to exceed two (2) total annual bond debt payments. If the property owner remains eligible for assessment deferral following the second year, the City Manager shall pay the balance of the assessment obligation. The principal amount shall become the total of the annual payments already made plus the balance of the assessment yet to be

discharged, plus the appropriate interest charged on the annual bond debt obligation in accordance with section 61.1912.1 of the Municipal Code.

At any time during the two (2) year period, the property owner may reimburse the City the amount it has paid in assessment debt obligation including the interest thereon and assume full responsibility for continuing the assessment debt obligation.

Section 2. That Chapter VI, Article 1, Division 19 of the San Diego Municipal Code be and the same is hereby amended by the amendment of sections 61.1902, 61.1903, 61.1908.1 and 61.1911 to read as follows:

SEC. 61.1902 SCOPE OF ASSESSMENT DEFERRAL

This division is limited to qualified low-income owners residing within The City of San Diego and 1911 Act and 1913 Act proceedings providing for the issuance of bonds to represent unpaid assessments either under (a) the Improvement Act of 1911 (commencing with section 5000 of the Streets and Highways Code) or (b) the San Diego Improvement District Procedural Ordinance of 1982. (San Diego Municipal Code section 61.230, et seq.)

There are no age restrictions for qualified low-income owners. This division applies to both pending and completed special assessment proceedings.

SEC. 61.1903 DEFINITIONS

The meaning of the various terms, as used in this division, shall be as follows:

No changes in subsections a. through c.

d. ASSESSMENT BOND means an obligation to pay money at a definite time or times, issued or to be issued, to represent an unpaid assessment pursuant to the provisions of the Improvement Act of 1911 (commencing with section 5000 of the California Streets and Highways Code) or the San Diego Improvement District Procedural Ordinance of 1982. (San Diego Municipal Code section 61.2300, et seq.)

No changes in subsections e. through p.

q. SAN DIEGO IMPROVEMENT DISTRICT PROCEDURAL ORDINANCE OF 1982 means any assessment bond issued pursuant to the provisions Chapter VI, Article 1 of Division 23, commencing with section 61.2300 of this Code.

r. SECURITY or SECURITY INTEREST has the meaning set forth in section 61.1910.

s. TRANSFER, when referring to real property, means any sale, exchange, gift, or lease of real property or any interest therein, whether made by the original owner, any successor in interest or legally appointed representative of the owner or made pursuant to the laws of inheritance and succession.

SEC. 61.1908.1 SAME - COMPLETED ASSESSMENT PROCEEDINGS

In any completed assessment proceedings, the City Manager shall cause the written explanation to be distributed by such means and at such times as, in the opinion of the City Manager, is most likely to bring the assessment deferral program to the attention of interested low-income owners.

SEC. 61.1908.2 SAME - PENDING ASSESSMENT PROCEEDINGS

In pending assessment proceedings, the City Clerk shall mail a written explanation of the assessment deferral program to all owners within the proposed assessment district. Unless otherwise instructed by the City Manager, the City Clerk shall enclose the explanation with the mailed notice of hearing on the resolution of intention. In anticipation of the adoption of a resolution of intention, the City Manager may instruct the City Clerk to separately mail the explanation in advance of the mailed notice of hearing on the resolution of intention.

SEC. 61.1911 CITY PURCHASE OF ASSESSMENT BONDS

The City Manager, for and on behalf of the City, may purchase assessment bonds issued or to be issued upon applicant's property. The purchase price shall be paid from the Assessment Deferral Fund. In pending 1911 Act proceedings, the purchase price shall be paid to the contractor or his assignee. In pending 1913 Act proceedings, the purchase price shall be paid to the person or persons to whom the bonds are awarded. In completed proceedings, the purchase price shall be paid to the bondholder.

If the City Manager elects to purchase bonds to be issued in pending proceedings, prospective bondholders shall be given notice of the City's right to purchase bonds upon the real property of low-income owners as follows:

- a. In 1911 Act proceedings, the notice inviting construction bids shall state that the City reserves and has the right to purchase the bonds from the

contractor or his assignee.

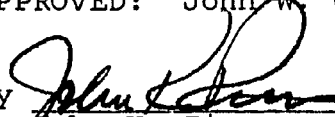
b. In 1913 Act proceedings, the notice inviting bids for the purchase of bonds shall state that the City reserves and has the right to purchase the bonds from the person or persons to whom the bonds are awarded.

No changes in the last two paragraphs of this section.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage.

APPROVED: John W. Witt, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:smm
9/12/83
O-84-46
Or.Dept:E&D
Form=0.none

OCT 24 1983

Passed and adopted by the Council of The City of San Diego on _____
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

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

(Seal)

By Marjorie L. Portocarrero, 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 10 1983

OCT 24 1983

_____, and on _____.

~~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 Marjorie L. Portocarrero, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 16065 Adopted **OCT 24 1983**

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1983 NOV -9 AM 11:40
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
ATTN: MAYDELL L. PONTECORVO
202 C St., 12th Floor
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NO. O-16065

ORDINANCE NO. O-16065
(New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 1, DIVISION 19, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 61.1908.1 AND AMENDING SECTIONS 61.1902, 61.1903, 61.1908.1 AND 61.1911.
This ordinance amends sections of the San Diego Municipal Code to allow assessment deferrals under the San Diego Improvement District Procedural Ordinance of 1982 in addition to existing programs. It also allows the City Manager the option of up to a two-year assessment deferral in addition to the existing full payoff program.
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on OCTOBER 10, 1983.
Passed and adopted by the Council of The City of San Diego on OCTOBER 24, 1983.
AUTHENTICATED BY:
ROGER HEDGECOCK,
Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
(SEAL)
By MAYDELL L. PONTECORVO, Deputy.
Publish Nov. 7, 1983 60-2002

I, Carrie Gedeon, 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

ORDINANCE NO. O-16065
(New Series)

4 1/2" X 8.87 = 39.92

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 wit:

November 7, 1983

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

Dated at San Diego, California this 7th day of Nov., 19 83.

Carrie Gedeon

(Signature)

01220