

ORDINANCE NUMBER O- 16217 (New Series)

Adopted on MAY 29 1984

WHEREAS, The City of San Diego Municipal Solar Utility ("MSU") was established because State Legislation was enacted which restricted tax credit eligibility to lessees whose leases were executed under the auspices of an MSU; and

WHEREAS, State Legislation has now been enacted which provides tax credit eligibility to lessees in a jurisdiction where an MSU does not exist; and

WHEREAS, the MSU has not begun operations since Ordinance No. O-15863 (New Series) which created the MSU was enacted and no permits have been issued by said MSU; NOW, THEREFORE,

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

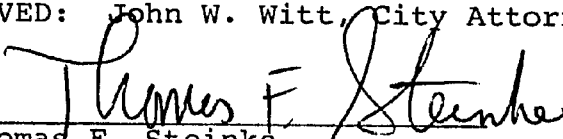
Section 1. That Ordinance No. O-15863 (New Series) adopted on November 22, 1982, is hereby repealed.

Section 2. That it is the express intent of this Council that anyone who would otherwise be eligible for State tax credits were it not for the existence of the MSU ordinance, be treated as if the MSU ordinance had never been enacted.

Section 3. That 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


Thomas F. Steinke
Deputy City Attorney

TFS:ta:551.3.1

4/10/84

Or.Dept:Mgr.

O-84-204

Form=o.none

Passed and adopted by the Council of The City of San Diego on MAY 29 1984,
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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ed Struiksmas | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 *Barbara Baxter*, 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

MAY 14 1984

MAY 29 1984

~~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 *Barbara Baxter*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number O-16217 Adopted MAY 29 1984

RECEIVED
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CERTIFICATE OF PUBLICATION 1984 JUN 14 AM 11: 22

SAN DIEGO, CALIF.

CITY OF SAN DIEGO
ATTN: BARBARA BAXTER
202 C St., 12th Floor
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NO. O-16217

**ORDINANCE NO. O-16217
(New Series)**

WHEREAS, The City of San Diego Municipal Solar Utility ("MSU") was established because State Legislation was enacted which restricted tax credit eligibility to lessees whose leases were executed under the auspices of an MSU; and

WHEREAS, State Legislation has now been enacted which provides tax credit eligibility to lessees in a jurisdiction where an MSU does not exist; and

WHEREAS, the MSU has not begun operations since Ordinance No. O-15863 (New Series) which created the MSU was enacted and no permits have been issued by said MSU; NOW, THEREFORE,

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

Section 1. That Ordinance No. O-15863 (New Series) adopted on November 22, 1983, is hereby repealed.

Section 2. That it is the express intent of this Council that anyone who would otherwise be eligible for State tax credits were it not for the existence of the MSU ordinance, be treated as if the MSU ordinance had never been enacted.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced May 14, 1984.
Passed and adopted by the Council of The City of San Diego May 29, 1984.

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 BARBARA BAXTER, Deputy
Publish June 12, 1984. 60-8158

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-16217
(New Series)

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:

June 12, 1984

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

Dated at San Diego, California this 12th day of June, 1984

Carrie Gedeon
(Signature)

01083

6" X 8.87 = 53.22