

(R-85-1609)

RESOLUTION NUMBER R- 262734

ADOPTED ON MAR 18 1985

WHEREAS, legislation pending before the State Legislature would purport to impact the City of San Diego's ability to continue to levy and collect the Zoo tax; and

WHEREAS, the City is mandated to collect the Zoo tax by Section 77a of the City Charter, a Section adopted in November, 1934 by sixty percent of City voters; and

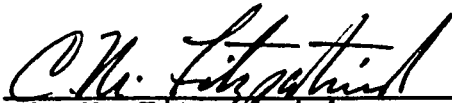
WHEREAS, following passage of State Proposition 13 in 1978, which placed State Constitutional restrictions on the levy of property taxes, the City continued to levy the Zoo tax on the basis that (i) it was approved by the voters of the City prior to Proposition 13; (ii) the City Charter, which grants home rule authority to the City Council, mandates the Council to levy the Zoo tax; and (iii) the City has a contractual responsibility to provide the Zoological Society with funds from the tax; and

WHEREAS, the Intergovernmental Relations Department analyzed pending State legislation potentially impacting the Zoo tax and recommended to the Rules Committee in IRD Report No. 85-20; dated February 20, 1985, that the City Council "actively sponsor and/or support legislation which permits the City Council to carry out its Charter responsibilities to levy the Zoo tax; and oppose any legislation which attempts to invalidate or otherwise preclude the City from levying the Zoo tax;" and

WHEREAS, the Rules Committee now forwards the matter to the City Council with a recommendation to adopt the recommendation outlined in IRD Report No. 85-20; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of The City of San Diego, that this Council, upon recommendation of the Rules Committee and after review of IRD Report No. 85-20, dated February 20, 1985, does hereby actively sponsor and/or support legislation which permits the City Council to carry out its Charter responsibilities to levy the Zoo tax; and oppose any legislation which would attempt to invalidate or otherwise preclude the City from levying the Zoo tax.

APPROVED: John W. Witt, City Attorney

By   
C. M. Fitzpatrick  
Assistant City Attorney

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Or.Dept: Intergov.  
R-85-1609  
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Passed and adopted by the Council of The City of San Diego on MAR 18 1985,  
 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"/>
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 Struiksma	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**ROGER HEDGECOCK**

Mayor of The City of San Diego, California.

(Seal)

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

By Barbara Baxter, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-262734 Adopted MAR 18 1985

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