

(O-87-89)

ORDINANCE NUMBER O- 15760 (NEW SERIES)

ADOPTED ON NOV 10 1986

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 7, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 97.0301 TO INCREASE THE PRINCIPAL AMOUNT OF REVENUE BONDS AUTHORIZED TO BE OUTSTANDING PURSUANT TO THE CITY OF SAN DIEGO ECONOMIC DEVELOPMENT REVENUE BOND LAW.

WHEREAS, The City of San Diego (the "City") is a municipal corporation and charter city duly organized and existing under a freeholders' charter pursuant to which the City has the right and power to make and enforce all laws and regulations in respect to municipal affairs and certain other matters in accordance with and as more particularly provided in Sections 3, 5 and 7 of Article XI of the Constitution of the State of California and Section 2 of the Charter of the City (the "Charter"); and

WHEREAS, the City Council of the City has heard public testimony and reviewed written reports which, together with the personal knowledge of the members of the Council, evidence the need for the City to provide financial assistance to promote economic development within the City; and

WHEREAS, the City Council of the City has, by Ordinance No. O-15586 (New Series), adopted by the Council on September 14, 1981, enacted an Act of The City of San Diego entitled the Economic Development Revenue Bond Law (the "Law"), amending Article 7 of Chapter IX of the Municipal Code of the City by adding Divisions 1, 2, 3 and 4, authorizing and establishing a

procedure for the sale and issuance of revenue bonds or other evidences of indebtedness (the "Bonds") by the City for the purpose of providing financing to participating parties for economic development purposes; and

WHEREAS, the City Council of the City on July 22, 1985, by Ordinance No. O-16469 (New Series) amended the law to increase the amount of Bonds which are authorized to be issued thereunder; and

WHEREAS, the City Council of the City, acting under and pursuant to the Act and the powers reserved to the City under Sections 3, 5 and 7 of Article XI of the Constitution of the State of California and Section 2 of the Charter, finds that the public interest and necessity require the adoption of this ordinance to authorize the issuance of an increased principal amount of Bonds by the City for the purpose of providing alternative methods of financing to participating parties for economic development purposes as specified herein and to provide that such increased amount of authorization applies to outstanding Bonds (to permit the issuance of Bonds to refund currently outstanding Bonds); NOW, THEREFORE,

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

Section 1. That Chapter IX, Article 7, Division 3, of the San Diego Municipal Code be and the same is hereby amended by amending Section 97.0301 to read as follows:

SEC. 97.0301 ISSUANCE OF BONDS

(a) The City is hereby authorized to have outstanding Bonds in an aggregate principal amount of not to exceed \$100,000,000 and to issue such Bonds, from time to time, in such series and amount as are determined by the Council to be necessary or appropriate to provide for Costs of Facilities approved by the Council and to provide for the refunding or replacing of outstanding Bonds. Bonds shall be negotiable instruments for all purposes, subject only to the provisions of such Bonds for registration.

(b) In addition to the Bonds authorized in the preceding paragraph, the City is hereby authorized to have outstanding additional Bonds in an aggregate principal amount not to exceed \$1,150,600,000 for Facilities or activities related to energy development, production, collection, conversion (from one form of energy to another), storage, conservation, transmission, distribution, transportation, or conveyance, including but not limited to the furnishing of electric energy or gas, and to issue such Bonds from time to time, in such series and amounts, as are determined by the Council to be necessary or appropriate to provide for the Cost of Facilities approved by the Council and to provide for the refunding or replacing of outstanding Bonds. Bonds shall be negotiable instruments for all purposes, subject only to the provisions of such Bonds for registration.

For the purpose of any Bonds issued for facilities or activities related to energy development as more broadly defined above, the term "Facilities" shall have the same

meaning as defined in Section 97.0103(e), except that the facilities, places or buildings are not necessarily required to be located within the City so long as the City Council finds that the Facilities to be financed would directly benefit the citizens of The City of San Diego.

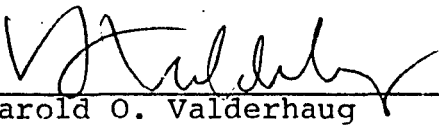
(c) For the purpose of any Bonds issued for Facilities which are to be located outside of the City, the City Council shall request, and the City Manager shall submit to the City Council, a report showing that one or more of the criteria established pursuant to Section 97.0203 have been appropriately met.

Section 2. The City Clerk is hereby authorized and directed to cause a digest or a copy of this ordinance to be published at least once in "The San Diego Daily Transcript" within fifteen (15) days after the adoption of this ordinance pursuant to Section 18 of the City Charter.

Section 3. 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


Harold O. Valderhaug
Deputy City Attorney

HOV:ps
10/14/86
Or.Dept:Prop.
O-87-89
Form=o.none

Passed and adopted by the Council of The City of San Diego on NOV 10 1986
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<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 Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

(Seal)

By June A. Blackwell 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 27 1986

NOV 10 1986

, 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 June A. Blackwell Deputy.

Office of the City Clerk, San Diego, California

01431

Ordinance Number 0-16760 Adopted NOV 10 1986

RECEIVED
CITY CLERK'S OFFICE
1986 OCT 15 AM 4:59
SAN DIEGO, CALIF.

01432

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET, 12TH FLOOR
SAN DIEGO, CA 92101

NO.

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 7, DIVI-
SION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 97.0301 TO INCREASE THE PRICIPAL AMOUNT OF
REVENUE BONDS AUTHORIZED TO BE OUTSTANDING PURSUANT
TO THE CITY OF SAN DIEGO ECONOMIC DEVELOPMENT
REVENUE BOND LAW.

ORDINANCE NUMBER O-16760 (NEW SERIES)

**AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 7, DIVI-
SION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMEN-
DING SECTION 97.0301 TO INCREASE THE PRICIPAL
AMOUNT OF REVENUE BONDS AUTHORIZED TO BE
OUTSTANDING PURSUANT TO THE CITY OF SAN DIEGO
ECONOMIC DEVELOPMENT REVENUE BOND LAW.**

This ordinance amends Chapter IX, Article 7, Division 3, of the San Diego Municipal Code by amending Section 97.0301 to increase the principal amount of revenue bonds authorized to be outstanding pursuant to the City of San Diego Economic Development Revenue Bond Law.

A complete copy of this 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, California 92101.

Passed and adopted by the Council of The City of San Diego on NOV 10 1986 by the following vote:

YEAS: Wolfshelmer, Cleator, McColl, McCarty, Martinez, O'Connor.

NAYS: None.

NOT PRESENT: Jones, Struikama, Gotch.

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

By JUNE A. BLACKNELL, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. O-16760 (New Series) of the City of San Diego, California.

I FURTHER CERTIFY that said 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 27 1986, and on NOV 10 1986.

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

By JUNE A. BLACKNELL, Deputy

Pub. December 22

66444

I, THOMAS D. KELLEHER, 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

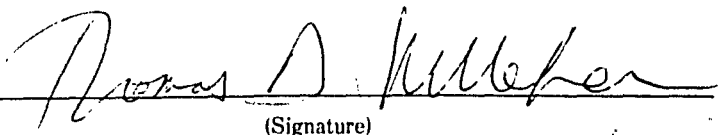
ORDINANCE NUMBER O-16760
(NEW SERIES)

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:

DECEMBER 22, 1986

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

Dated at San Diego, California this 22 day of DEC, 19 86.


(Signature)

8" x \$10.24 = \$81.92

01433

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET 12TH FLOOR
SAN DIEGO, CA 92101

NO.

IN THE MATTER OF
AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF
AND AUTHORIZING THE EXECUTION OF DOCUMENTS INCLUDING
ONE OR MORE LOAN AGREEMENTS WITH SAN DIEGO GAS &
ELECTRIC COMPANY

ORDINANCE NUMBER O-16760 (NEW SERIES)

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF AND AUTHORIZING THE EXECUTION OF DOCUMENTS INCLUDING ONE OR MORE LOAN AGREEMENTS WITH SAN DIEGO GAS & ELECTRIC COMPANY, ONE OR MORE BOND PURCHASE AGREEMENTS WITH UNDERWRITERS, AND ONE OR MORE INDENTURES WITH A TRUSTEE OR TRUSTEES TO BE SELECTED IN CONNECTION WITH THE ISSUANCE OF CITY OF SAN DIEGO INDUSTRIAL DEVELOPMENT REVENUE BONDS (SAN DIEGO GAS & ELECTRIC COMPANY), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000,000.

This ordinance authorizes the issuance and sale of and authorizes the execution of documents including one or more loan agreements with San Diego Gas & Electric Company, one or more bond purchase agreements with underwriters, and one or more indentures with a trustee or trustees to be selected in connection with the issuance and refunding of City of San Diego Industrial Development Revenue Bonds (San Diego Gas & Electric Company), in an aggregate principal amount not to exceed \$400,000,000. The full text of this ordinance, together with related documents, is on file in the office of the City Clerk and available for public inspection.

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, California 92101. Introduced on OCT 27 1986.

Passed and adopted by the Council of The City of San Diego on NOV 10 1986

AUTHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California
By JUNE A. BLACKNELL, Deputy
Pub. November 24

65266

DEAN F. ABBOTT

I, _____, 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 NUMBER O-16760
(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:

NOVEMBER 24, 1986

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

Dated at San Diego, California this 24 day of NOV, 19 86.

Dean F. Abbott

(Signature)

01131

5 3/4" x B10.24 = B 69.12