

(O-87-114)

ORDINANCE NUMBER O- 16775 (NEW SERIES)

ADOPTED ON DEC 08 1986

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING CERTAIN LIMITATIONS FOR THE REDEVELOPMENT PLAN FOR THE HORTON PLAZA REDEVELOPMENT PROJECT, AS REQUIRED BY CALIFORNIA HEALTH AND SAFETY CODE SECTION 33333.4.

WHEREAS, the Council of The City of San Diego (the "Council") adopted Ordinance No. 10882 (New Series) on July 25, 1972, adopting and approving a Redevelopment Plan (the "Plan") for the Horton Plaza Redevelopment Project (the "Project"); and

WHEREAS, the Plan contains the tax allocation provisions set forth in California Health and Safety Code Section 33670; and

WHEREAS, California Health and Safety Code Section 33333.4 requires that the Council adopt this ordinance on or before December 31, 1986, establishing certain limitations for the Project; NOW, THEREFORE,

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

Section 1. In accordance with the requirements of California Health and Safety Code Section 33333.4, the Council hereby establishes the following limitations for the Project, subject to all of the provisions of this ordinance:

A. The number of dollars of taxes which may be divided and allocated to the Redevelopment Agency of The City of San Diego, California (the "Agency"), pursuant

to the Plan shall not exceed: (1) for Fiscal Years 1985-1986 and before the amounts actually so divided and allocated to the Agency; and (2) for Fiscal Years 1986-1987 and thereafter the amount of two hundred forty million dollars (\$240,000,000.00), except by amendment of the Plan in the manner required by law.

B. No loan, advance or indebtedness to be repaid from the allocations of taxes referred to in Section 1.A. hereinabove shall be established or incurred by the Agency to finance in whole or in part the Project after July 25, 2007. Such loan, advance or indebtedness may be repaid over a period of time longer than such time limit. Such time limit may be extended only by amendment of the Plan in the manner required by law.

C. No eminent domain proceeding to acquire property within the Project area shall be commenced after twelve (12) years following the date of adoption of this ordinance. Such time limitation may be extended only by amendment of the Plan in the manner required by law.

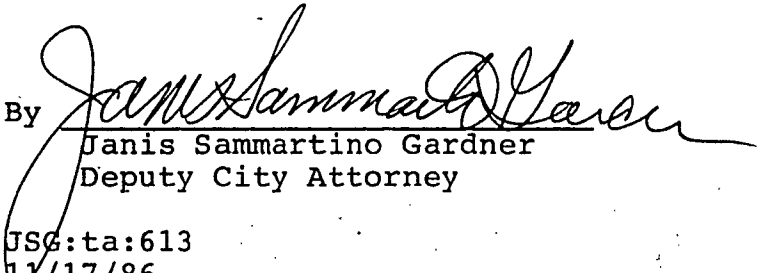
Section 2. The limitations established in Section 1. of this ordinance shall apply to the Plan as if the Plan had been amended to include those limitations, and may only be amended by amendment of the Plan in the manner required by law.

Section 3. The limitations established in Section 1. of this ordinance shall not be construed to allow the impairment of any obligation on indebtedness incurred by the City of San Diego or

the Agency pursuant to the California Community Redevelopment Law set forth in Sections 33000 et seq. of the California Health and Safety code, and shall be construed so as to allow the completion of adopted programs and projects implementing the Project.

APPROVED: John W. Witt, City Attorney

By


Janis Sammartino Gardner
Deputy City Attorney

JS6:ta:613

11/17/86

Or.Dept:CCDC

O-87-114

Form=o.none

56
Passed and adopted by the Council of The City of San Diego on DEC. 08 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 8	<input 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"/>

VACANT

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 Maybell L. Pate, 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

NOV 24 1986

DEC 08 1986

~~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 Maybell L. Pate, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16775 Adopted DEC 08 1986

CERTIFICATE OF PUBLICATION

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

NO.

IN THE MATTER OF
AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN
DIEGO ESTABLISHING CERTAIN LIMITATIONS FOR THE RE-
DEVELOPMENT PLAN FOR THE HORTON PLAZA REDEVELOPMENT
PROJECT, AS REQUIRED BY CALIFORNIA HEALTH AND SAFETY

CODE SECTION 33333.4

ORDINANCE NUMBER O-16775 (NEW SERIES)

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN
DIEGO ESTABLISHING CERTAIN LIMITATIONS FOR THE RE-
DEVELOPMENT PLAN FOR THE HORTON PLAZA REDE-
VELOPMENT PROJECT, AS REQUIRED BY CALIFORNIA
HEALTH AND SAFETY CODE SECTION 33333.4.

WHEREAS, the Council of The City of San Diego (the "Council")
adopted Ordinance No. 10882 (New Series) on July 25, 1972, adopting
and approving a Redevelopment Plan (the "Plan") for the Horton
Plaza Redevelopment Project (the "Project"); and

WHEREAS, the Plan contains the tax allocation provisions set
forth in California Health and Safety Code Section 33670; and

WHEREAS, California Health and Safety Code Section 33333.4 re-
quires that the Council adopt this ordinance on or before December
31, 1986, establishing certain limitations for the Project; NOW,

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

Section 1. In accordance with the requirements of California
Health and Safety Code Section 33333.4, the Council hereby estab-
lishes the following limitations for the Project, subject to all of the
provisions of this ordinance:

A. The number of dollars of taxes which may be divided and
allocated to the Redevelopment Agency of The City of San Diego,
California (the "Agency"), pursuant to the Plan shall not exceed: (1)
for Fiscal Years 1985-1986 and before the amounts actually so divid-
ed and allocated to the Agency; and (2) for Fiscal Years 1986-1987
and thereafter the amount of two hundred forty million dollars
(\$240,000,000.00), except by amendment of the Plan in the manner
required by law.

B. No loan, advance or indebtedness to be repaid from the
allocations of taxes referred to in Section 1.A. hereinabove shall be
established or incurred by the Agency to finance in whole or in part
the Project after July 25, 2007. Such loan, advance or indebtedness
may be repaid over a period of time longer than such time limit. Such
time limit may be extended only by amendment of the Plan in the
manner required by law.

C. No eminent domain proceeding to acquire property within
the Project area shall be commenced after twelve (12) years following
the date of adoption of this ordinance. Such time limitation may be
extended only by amendment of the Plan in the manner required by
law.

Section 2. The limitations established in Section 1. of this ordi-
nance shall apply to the Plan as if the Plan has been amended to in-
clude those limitations, and may only be amended by amendment of
the Plan in the manner required by law.

Section 3. The limitations established in Section 1. of this ordi-
nance shall not be construed to allow the impairment of any obliga-
tion on indebtedness incurred by the City of San Diego or the Agency
pursuant to the California Community Redevelopment Law set forth
in Sections 33000 et seq. of the California Health and Safety code,
and shall be construed so as to allow the completion of adopted
programs and projects implementing the Project.

INTRODUCED ON NOVEMBER 24, 1986

Passed and Adopted by the Council of The City of San Diego on
DECEMBER 8, 1986

AUTHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, CA

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

(SEAL)

By MAYDELL L. PONTECORVO, Deputy.
Pub. December 22

66441

THOMAS D. KELLEHER

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

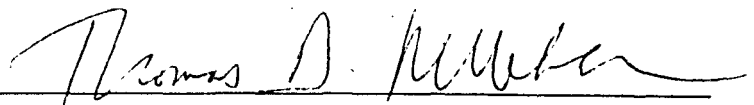
ORDINANCE NUMBER O-16775
(NEW SERIES)

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, 1986.



(Signature)

1 1/2" x \$10.24 = \$117.76

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