

(O-87-161)

ORDINANCE NUMBER O- 16828 (NEW SERIES)

ADOPTED ON MAR 16 1987

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE FIRST SAN DIEGO RIVER IMPROVEMENT PROJECT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND MBM ASSOCIATES, MISSION VALLEY PARTNERSHIP, MISSION VALLEY I LIMITED, DONALD F. SAMMIS, LEE C. SAMMIS, AS TRUSTEE OF THE DONALD F. SAMMIS CHILDREN'S TRUST, CAL MAT COMPANY, SAMMIS PROPERTIES AND R. E. HAZARD CONTRACTING COMPANY THEREBY AMENDING DEVELOPMENT AGREEMENT NO. 1, ADOPTED DECEMBER 6, 1982.

WHEREAS, the Planning Commission of the City of San Diego conducted a public hearing regarding the Second Amendment to the First San Diego River Improvement Project ("FSDRIP") Development Agreement by and between THE CITY OF SAN DIEGO and MBM ASSOCIATES, MISSION VALLEY PARTNERSHIP, MISSION VALLEY I LIMITED, DONALD F. SAMMIS, LEE C. SAMMIS as Trustee of THE DONALD F. SAMMIS CHILDREN'S TRUST, CAL MAT COMPANY, SAMMIS PROPERTIES and R. E. HAZARD CONTRACTING COMPANY, dated MAR 16 1987, a copy of which is on file in the office of the City Clerk as Document No. 00-16828, (hereinafter "Second Amendment"); and

WHEREAS, the City Council has reviewed and considered the Second Amendment and determined the content of the Amendment to be complete and correct; and

WHEREAS, the Second Amendment is in the public interest and is consistent with the City of San Diego Progress Guide and General Plan ("General Plan") and the FSDRIP Specific Plan as amended by the City Council on April 8, 1986 by Resolution No. R-265413 ("Hazard Center Amendment [II]"); NOW, THEREFORE,

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

Section 1. The City Council finds and determines the facts stated above to be true.

Section 2. The City Council further finds with respect to the Second Amendment that:

A. It is consistent with the objectives, policies and programs specified in the General Plan and the FSDRIP Specific Plan.

B. It is compatible with the uses authorized and regulations prescribed in the Hazard Center Amendment (II).

C. It will not be detrimental to the public health, safety and general welfare.

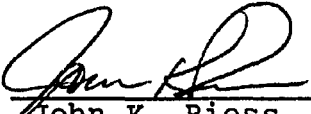
D. It will promote the orderly development of property for the preservation of property values in accordance with good land use practice.

Section 3. The City Council hereby approves the Second Amendment to the First San Diego River Improvement District and authorizes and empowers the City Manager to execute for and on behalf of the City of San Diego, the Second Amendment, a copy of which is on file in the office of the City Clerk as Document No. 00-16828;

BE IT FURTHER ORDAINED, that the City Clerk be and he is hereby directed to record the Second Amendment and this ordinance with the County Recorder of San Diego County within ten (10) days of its effective date of adoption.

Section 4. 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   
\_\_\_\_\_  
John K. Riess  
Deputy City Attorney

JKR:mrh  
02/17/87  
Or.Dept:Plan.  
O-87-161  
Form=o.none

Passed and adopted by the Council of The City of San Diego on MAR 16 1987,  
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 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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<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 Raymond S. Montecano, 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

MAR 03 1987

MAR 16 1987

, 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 Raymond S. Montecano, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 16828 Adopted MAR 16 1987

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