

(O-88-72)

ORDINANCE NUMBER O- 16968 (NEW SERIES)

ADOPTED ON OCT 27 1987

AN ORDINANCE AMENDING ORDINANCE NO. O-16916 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1987-88 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY ACCEPTING \$12 MILLION FROM THE REDEVELOPMENT AGENCY AND DIRECTING THE AUDITOR AND COMPTROLLER TO APPROPRIATE AND ALLOCATE SAID FUNDS TO NEWLY CREATED CIP PROJECTS 39-300, 39-305 AND 39-310; CREATING CIP PROJECTS 39-300, ENTITLED "MARINA REDEVELOPMENT-PUBLIC IMPROVEMENTS (CDBG)," 39-305, ENTITLED "COLUMBIA REDEVELOPMENT PROJECT-PUBLIC IMPROVEMENTS (CDBG)," AND 39-310, ENTITLED "COLUMBIA REDEVELOPMENT PROJECT-LOW AND MODERATE INCOME HOUSING FUND (CDBG)" AND AUTHORIZING THE AUDITOR AND COMPTROLLER TO APPROPRIATE AND ALLOCATE TO THE ABOVE NEWLY CREATED CIP PROJECTS THE SUMS OF \$10.4 MILLION, \$0.6 MILLION, AND \$1.0 MILLION, RESPECTIVELY; DIRECTING THE AUDITOR AND COMPTROLLER TO DISBURSE THE ABOVE RECITED CDBG FUNDS TO THE REDEVELOPMENT AGENCY FROM THE CIP PROJECTS FOR THE PURPOSES RECITED THEREIN; ACCEPTING \$6.0 MILLION FROM THE REDEVELOPMENT AGENCY TO INCREASE THE CONTRIBUTIONS TO THE REDEVELOPMENT AGENCY (10227) BY UP TO SAID AMOUNT AND DIRECTING THE AUDITOR AND COMPTROLLER TO APPROPRIATE AND ALLOCATE SAID FUNDS TO NEWLY CREATED CIP PROJECT 39-315; CREATING CIP PROJECT 39-315, ENTITLED "MARINA REDEVELOPMENT PROJECT-PUBLIC IMPROVEMENTS; DIRECTING THE AUDITOR AND COMPTROLLER TO DISBURSE THE FUNDS UP TO \$6.0 MILLION TO THE REDEVELOPMENT AGENCY FROM CIP 39-315; RECORDING ABOVE-RECITED DISBURSEMENTS TO THE REDEVELOPMENT AGENCY AS INTEREST BEARING LOANS TO BE REPAYED AS SOON AS PRACTICABLE FROM TAX INCREMENT OR OTHER REVENUES; AND PROVIDING FOR PRIORITY OF CLAIM UPON REVENUES OF THE REDEVELOPMENT AGENCY.

WHEREAS, the Council of The City of San Diego (the "City") has previously given its general approval to financing plans for the Columbia Redevelopment Project and the Marina Redevelopment Project of the Redevelopment Agency of The City of San Diego (the "Agency"); and

WHEREAS, said financing plans included the issuance of tax allocation debt to finance public facilities within each of the above-named project areas; and

WHEREAS, the Agency has adopted budgets for those projects for Fiscal Year 1987-88; and

WHEREAS, the City has adopted the Fiscal Year 1987-88 Capital Improvement Budget; and

WHEREAS, such Agency budgets and City Capital Improvement Budget identify funds to be utilized in the redevelopment project areas; and

WHEREAS, it has been recommended that the City Council amend the annual budget to accept certain payments from the Agency, establish specified Capital Improvement Projects to accommodate the funding for the Agency for said projects, and authorize the City Auditor and Comptroller to pay over said specified funds to the Agency; and

WHEREAS, the new CIP Projects and purposes stated therein are:

1. CIP PROJECT NO. 39-300, entitled "Marina Redevelopment - Public Improvements (CDBG)" for the purpose of land acquisition, relocation, demolition, public improvements and other related administrative costs

associated with the land assembly for a linear park and residential development;

2. CIP PROJECT NO. 39-305, entitled "Columbia Redevelopment Project - Public Improvements (CDBG)" for the purpose of engineering and public improvements and related administrative costs associated with the implementation of such public improvements;

3. CIP PROJECT NO. 39-310, entitled "Columbia Redevelopment Project - Low and Moderate Income Housing Fund (CDBG)" for the purpose of development of low and moderate income housing providing that the aggregate of monies described in section 2 of this ordinance shall equal the amount received by the City under section 1 below;

4. CIP PROJECT NO. 39-320, entitled "Marina Redevelopment Project - Public Improvement" for the purpose of public improvements including parks, streets, soils, and other related public improvements and administrative costs within the Marina Redevelopment Project provided that the amount described in section 5 of this ordinance shall equal the amount received by the City under section 4 below;

and

WHEREAS, it is now necessary and recommended that the City Council take required actions as recited herein; NOW, THEREFORE,

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

Section 1. That Ordinance No. O-16916 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR

THE FISCAL YEAR 1987-88 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" be and the same is hereby amended by amending Document No. OO-16916-1, as amended, by accepting up to \$12 million from the Redevelopment Agency to CDBG Program Income Fund 18502 representing payment of principal and interest on Community Development Block Grant loans made to the Agency in the Columbia Redevelopment Project and directing the Auditor and Comptroller to appropriate and allocate said funds to newly created CIP Projects No. 39-300, 39-305 and 39-310, as indicated below.

Section 2. That pursuant to section IV of the annual appropriation ordinance, the Auditor and Comptroller is hereby authorized and directed to establish new CIP Projects No. 39-300, entitled "Marina Redevelopment - Public Improvements (CDBG)," 39-305, entitled "Columbia Redevelopment Project - Public Improvement (CDBG)," and 39-310, entitled "Columbia Redevelopment Project - Low and Moderate Income Housing Fund (CDBG)" and further authorizing the Auditor and Comptroller to allocate from the monies accepted in section 1 above to the newly created CIP Projects the sum of \$10.4 million, \$0.6 million, and \$1 million, respectively.

Section 3. That the Auditor and Comptroller be and he is hereby fully authorized to disburse the CDBG funds recited above in section 2 from the specified CIP Projects to the Redevelopment Agency for the purposes recited hereinabove.

Section 4. That the Auditor and Comptroller is authorized to accept from the Redevelopment Agency up to \$6 million

representing payment of principal and interest on Contributions to the Agency funded loans made to the Agency in the Marina Redevelopment Project, said funds to be appropriated to increase Contributions to the Redevelopment Agency Fund 10227.

Section 5. That the Auditor and Comptroller is authorized and directed to establish a new CIP Project No. 39-315, entitled "Marina Redevelopment Project - Public Improvements FY 88" and allocate the \$6 million recited above in section 4 to CIP Project No. 35-315.

Section 6. That the Auditor and Comptroller be and he is hereby authorized to disburse the above-recited \$6 million to the Agency from CIP Project No. 39-315, for the purposes specified hereinabove.

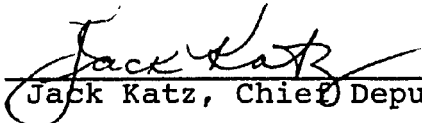
Section 7. That the City Manager be and he is hereby directed to record the above disbursements [as contributions or loans] to the Agency as interest bearing loans to be repaid as soon as practicable from tax increment or other revenues.

Section 8. That in the event the Agency issues bonds, notes, refunding bonds (including without limitation to the above-referenced refunding bonds) or other instruments of indebtedness of the Agency to carry out these redevelopment projects, including without limitation the above-referenced loans to the Agency, then any indebtedness of the Agency to the City, including any interest accrued thereon, shall be deemed not to be a first pledge of tax increment allocations received by the Agency pursuant to Health and Safety Code section 33670; and any indebtedness of the Agency to the City, including any interest

accrued thereon shall be subordinate to any pledge of tax increments to bondholders or the holders of other such instruments of indebtedness.

Section 9. That this ordinance shall take effect and be in force immediately upon its adoption after two (2) public hearings, pursuant to the authority contained in sections 15, 17 and 71 of the Charter of The City of San Diego.

APPROVED: John W. Witt, City Attorney

By   
Jack Katz, Chief Deputy

JK:smm  
10/22/87  
Or.Dept:CCDC  
Aud.Cert.:8800390  
O-88-72  
Form=o.none

**The City of San Diego**  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE AC 8800390

ORIGINATING DEPT. NO.: 9960

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 18,000,000.00 Fund 10227, 18502

Purpose Authorizing amendment to the annual appropriation ordinance in conjunction with the sale of the proposed redevelopment agency tax allocation refunding bonds.

Date October 16, 1987 By: *[Signature]*  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		10227			9544	Contribution to	Redevelopment Agency			\$ 6,000,000.00
2		18502			9544	CDBG Program Income Fund				12,000,000.00
TOTAL AMOUNT										\$18,000,000.00

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ \_\_\_\_\_

Vendor \_\_\_\_\_

Purpose \_\_\_\_\_

Date \_\_\_\_\_, 19\_\_\_\_ By: \_\_\_\_\_  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

OCT 27 1987

Passed and adopted by the Council of The City of San Diego on....., 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 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"/>	
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vacant
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Ellen Board*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on OCT 27 1987, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

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 *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number *0-16968* Adopted OCT 27 1987



CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE

1987 NOV 13 AM 11:36

SAN DIEGO, CALIF.

*or*

CITY OF SAN DIEGO  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101  
ATTN: ELLEN BOVARD

IN THE MATTER OF

NO.

016968

AN ORDINANCE AMENDING ORDINANCE NO. 0-16916 (NEW SERIES)

**ORDINANCE NUMBER O-16968 (NEW SERIES)**

AN ORDINANCE AMENDING ORDINANCE NO. O-16916 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING IN THE ANNUAL BUDGET FOR THE FISCAL YEAR 1987-88 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY ACCEPTING \$12 MILLION FROM THE REDEVELOPMENT AGENCY AND DIRECTING THE AUDITOR AND COMPTROLLER TO APPROPRIATE AND ALLOCATE SAID FUNDS TO NEWLY CREATED CIP PROJECTS 39-300, 39-305 AND 39-310; CREATING CIP PROJECTS 39-300, ENTITLED "MARINA REDEVELOPMENT-PUBLIC IMPROVEMENTS (CDBG)," 39-305, ENTITLED "COLUMBIA REDEVELOPMENT PROJECT-PUBLIC IMPROVEMENTS (CDBG)," AND 39-310, ENTITLED "COLUMBIA REDEVELOPMENT PROJECT-LOW AND MODERATE INCOME HOUSING FUND (CDBG)" AND AUTHORIZING THE AUDITOR AND COMPTROLLER TO APPROPRIATE AND ALLOCATE TO THE ABOVE NEWLY CREATED CIP PROJECTS THE SUMS OF \$10.4 MILLION, \$0.8 MILLION, AND \$1.0 MILLION, RESPECTIVELY; DIRECTING THE AUDITOR AND COMPTROLLER TO DISBURSE THE ABOVE RECITED CDBG FUNDS TO THE REDEVELOPMENT AGENCY FROM THE CIP PROJECTS FOR THE PURPOSES RECITED THEREIN; ACCEPTING \$6.0 MILLION FROM THE REDEVELOPMENT AGENCY TO INCREASE THE CONTRIBUTIONS TO THE REDEVELOPMENT AGENCY (10227) BY UP TO SAID AMOUNT AND DIRECTING THE AUDITOR AND COMPTROLLER TO APPROPRIATE AND ALLOCATE SAID FUNDS TO NEWLY CREATED CIP PROJECT 39-315; CREATING CIP PROJECT 39-315, ENTITLED "MARINA REDEVELOPMENT PROJECT-PUBLIC IMPROVEMENTS"; DIRECTING THE AUDITOR AND COMPTROLLER TO DISBURSE THE FUNDS UP TO \$6.0 MILLION TO THE REDEVELOPMENT AGENCY FROM CIP 39-315; RECORDING ABOVE-RECITED DISBURSEMENTS TO THE REDEVELOPMENT AGENCY AS INTEREST BEARING LOANS TO BE REPAYED AS SOON AS PRACTICABLE FROM TAX INCREMENT OR OTHER REVENUES; AND PROVIDING FOR PRIORITY OF CLAIM UPON REVENUES OF THE REDEVELOPMENT AGENCY.

This ordinance amends the annual appropriations ordinance by creating four new CIP projects; 39-300, 39-305, 39-310 and 39-315, all relating to redevelopment projects and accepting from the Redevelopment Agency, as repayments, the sums of \$12 million in CDBG funds and \$6 million from contributions to Agency, all said monies to fund the newly created CIP projects. The ordinance also directs the Auditor and Comptroller to allocate the funds to the CIP projects as directed; and disburse the funds from the CIP projects to the Redevelopment Agency, as directed. Finally, the ordinance directs the disbursements to the Redevelopment Agency be recorded as interest-bearing loans to be repaid as soon as practicable from tax increment or other revenues and provides that in specified instances, the loans shall be subordinated.

A complete copy of the ordinance is available for inspection in the Office of the City Clerk of The City of San Diego, 2nd Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

Introduced, reading dispensed with and adopted by the City Council of The City of San Diego on OCT 27 1987  
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 ELLEN BOVARD Deputy  
Pub. November 9 94681

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-16968 (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:

NOV. 9

I certify under penalty of perjury that the foregoing is true and correct.  
Dated at San Diego, California this 9 day of NOV., 19 87.

*Thomas D. Kelleher*  
\_\_\_\_\_  
(Signature)  
66 lines x .98 x 2 = 129.36  
5.88 x 10.78 x 2 = 126.78