

(O-89-84)

ORDINANCE NUMBER O- 17196 (NEW SERIES)

ADOPTED ON DEC 12 1988

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 1, DIVISION 23, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 61.2370, RELATING TO IMPROVEMENT BONDS; AND REPEALING SECTIONS 61.2371 THROUGH 61.2375, KNOWN AS THE SAN DIEGO IMPROVEMENT DISTRICT PROCEDURAL ORDINANCE OF 1982.

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

Section 1. That Chapter VI, Article 1, Division 23, of the San Diego Municipal Code be and the same is hereby amended by amending Section 61.2370, relating to improvement bonds, to read as follows:

SEC. 61.2370 IMPROVEMENT BONDS

Any improvement bonds issued under this Division may be issued as provided for in Division 7, Part 5 of the California Streets and Highways Code (Improvement Act of 1911) commencing with Section 6400 thereof or in Division 10 of said Streets and Highways Code (Improvement Bond Act of 1915) commencing with Section 8500. All of the provisions of said Improvement Act of 1911 and Improvement Bond Act of 1915 shall be harmonized to conform to the provisions of this Division and as harmonized they are hereby adopted and referred to and made part of this Division with the same force and effect as if specifically set forth herein.

Section 2. That Chapter VI, Article 1, Division 1, of the San Diego Municipal Code be and the same are hereby amended by repealing the following sections:

SEC. 61.2371 PROVISIONS OF IMPROVEMENT BOND ACT OF 1915 EXCEPTED

[Repealed.]

SEC. 61.2372 SECTION 8652 OF IMPROVEMENT ACT OF 1915 AMENDED

[Repealed.]

SEC. 61.2373 SECTION 8804 OF IMPROVEMENT BOND ACT OF 1915 AMENDED

[Repealed.]

SEC. 61.2374 SECTION 8806 OF THE IMPROVEMENT BOND ACT OF 1915 AMENDED

[Repealed.]

SEC. 61.2375 SECTION 8650 OF THE IMPROVEMENT BOND ACT OF 1915 AMENDED

[Repealed.]

Section 3. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its passage.

APPROVED: John W. Witt, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:wk
10/17/88
Or.Dept:E&D
O-89-84
Form=o.none

DEC 12 1988

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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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 *Rhonda R. Barnes*, 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 28 1988

DEC 12 1988

....., 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 *Rhonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **017196** Adopted **DEC 12 1988**

RECEIVED
88 SEP -8 PM 1:49
CITY CLERKS OFFICE
SAN DIEGO, CA

CERTIFICATE OF PUBLICATION

RECEIVED
89 JAN -5 AM 11:02
CITY CLERKS OFFICE
SAN DIEGO, CA

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: RHONDA R. BARNES

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 1, DIVISION
23, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION
61.2370, RELATING TO IMPROVEMENT BONDS; AND REPEALING
SECTIONS 61.2371 THROUGH 61.2375, KNOWN AS THE SAN DIEGO
IMPROVEMENT DISTRICT PROCEDURAL ORDINANCE OF 1982.

NO.

ORDINANCE NUMBER 0-17196 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 1, DIVISION 23, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 61.2370, RELATING TO IMPROVEMENT BONDS; AND REPEALING SECTIONS 61.2371 THROUGH 61.2375, KNOWN AS THE SAN DIEGO IMPROVEMENT DISTRICT PROCEDURAL ORDINANCE OF 1982.

In 1961, the City began the issuance of assessment district bonds pursuant to the Improvement Bond Act of 1915. At the time, the Bond Act contained a requirement that the City levy a tax of up to ten cents per hundred dollars of assessed valuation in the event of a delinquency which could not be resolved through the sale of the delinquent land in foreclosure. This requirement was in direct conflict with the provision of Proposition 13 which restricted property tax increases. In order to resolve this conflict, the San Diego Improvement District Procedural Ordinance of 1982 was drafted containing an exclusion of the general tax requirement. In 1984, the State legislature modified the 1915 Bond Act to remove the taxing provision, thus eliminating the need for a separate City legislation.

The revisions in this ordinance deal only with the bond provisions and leave the procedural provisions unchanged. This ordinance makes corrective changes which repeal obsolete portions of the San Diego Improvement District Procedural Ordinance of 1982.

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 ON NOV 28 1988

Passed and Adopted by the Council of The City of San Diego on DEC 12 1988

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 RHONDA R. BARNES, Deputy.
Pub. December 26

127100

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

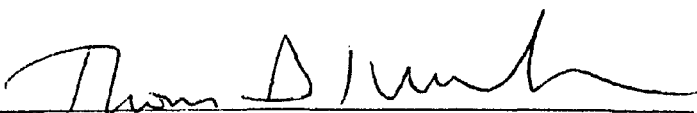
ORDINANCE NUMBER 0-17196 (NEW SERIES)

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:

DEC. 26

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

Dated at San Diego, California this 26 day of DEC., 19 88.



(Signature)

3 1/2" x 2 x 36.99 = #78.28