

(O-92-49)

ORDINANCE NUMBER O- 17707 (NEW SERIES)

ADOPTED ON NOV 04 1991

AN ORDINANCE APPROVING THE THIRD AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND CATELLUS DEVELOPMENT CORPORATION, A DELAWARE CORPORATION (FORMERLY SANTA FE LAND IMPROVEMENT COMPANY).

WHEREAS, The City of San Diego (the "City") has heretofore entered into a certain Development Agreement (Document No. 00-15954) with the Santa Fe Land Improvement Company (now Catellus Development Corporation); and

WHEREAS, the City did amend the Development Agreement by Ordinance No. O-16566 (New Series) on December 16, 1985; and Ordinance No. O-16845 (New Series) on April 20, 1987; and

WHEREAS, the City and Catellus Development Corporation (Catellus) desire to further amend the Development Agreement to provide a process for the comprehensive redesign of the improvements to be developed on the Site, to recognize the realignment of the rail and trolley tracks as they affect the Site, to revise the schedule of performance for the first building required to be developed on the Site, and to make certain other changes deemed appropriate by the parties; and

WHEREAS, after due notice, the City Council did conduct a public hearing on this matter where all persons desiring to be heard were heard; and

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

WHEREAS, the Third Amendment to Development Agreement is in the public interest and is consistent with the City's Progress Guide and General Plan ("General Plan") and the Redevelopment Plan for the Columbia Redevelopment Project; NOW, THEREFORE,

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

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

Section 2. That the City Council further finds with respect to the Third Amendment to Development Agreement that:

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

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

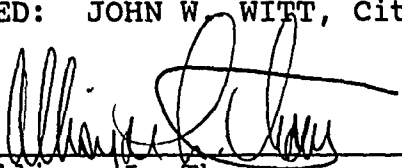
Section 3. That the City Council hereby approves the Third Amendment to Development Agreement, and authorizes and directs the City Manager to execute the Third Amendment to Development Agreement in the name of The City of San Diego not later than fifteen (15) days following the effective date of this ordinance, a copy of the Third Amendment to Development Agreement is on file in the office of the City Clerk as Document No. OO-17707. Failure of Catellus to execute the Third Amendment to Development Agreement within the fifteen (15) day period shall render this

action null and void. The City Clerk is directed to record the Third Amendment to Development Agreement and this ordinance with the County Recorder of San Diego County within ten (10) days after its execution.

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



Allisyn L. Thomas
Deputy City Attorney

ALT:lc
09/16/91
Or.Dept:CCDC
O-92-49
Form=o+t

#53

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

NOV 04 1991

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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<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 *Mary Cepeda* 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 22 1991

NOV 04 1991

....., 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 *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-17707**

NOV 04 1991

Adopted.....

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
51 NOV 27 AM 9:44
SAN DIEGO, CALIF.
97

CITY CLERK'S OFFICE
CITY ADMIN. BLDG.
202 C ST.
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING DIVISION
24 TO REPEAL SECTIONS 22.2401 AND 22.2402; AND ADDING...

ORDINANCE NUMBER O-17708 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, OF THE
SAN DIEGO MUNICIPAL CODE BY AMENDING DIVISION 24 TO
REPEAL SECTIONS 22.2401 AND 22.2402; AND ADDING A
NEW SECTION 22.2401 RELATING TO THE PLANNING
DEPARTMENT.

This ordinance amends the San Diego Municipal Code to place the
Planning Department and Planning Director under the operational control
of the City Manager. The Director of the Planning Department, under the di-
rection of the City Manager and with policy direction of the City Council and
policy guidance and recommendations of the Planning Commission, shall
be responsible for performing those duties and functions as assigned and
directed by the City Manager.

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 OCTOBER 20, 1991
Passed and Adopted by the Council of The City of San Diego on
NOVEMBER 12, 1991

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
By MAYDELL L. PONTECORVO, Deputy.

Pub. Nov. 25

235911

I, JOCELYN PIKE, 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-17708 (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 25

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

Dated at San Diego, California this 25TH day of NOV., 1991

Jocelyn Pike
(Signature)

5" = 65.34
x2