

51

(O-94-13)

ORDINANCE NUMBER O- 17987 (NEW SERIES)

ADOPTED ON SEP 27 1993

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 4, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 64.0403 RELATING TO THE SEWER REVENUE FUND.

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

Section 1. That Chapter VI, Article 4, Division 4, of the San Diego Municipal Code be and the same is hereby amended by amending Section 64.0403, to read as follows:

**SEC. 64.0403 SEWER REVENUE FUND ESTABLISHED**

(a) [No changes to text.]

(b) All revenues shall be used for the following purposes only:

- 1. Paying the cost of maintenance and operation of the City's wastewater system.
- 2. Paying all or any part of the cost and expense of extending, constructing, re-constructing, or improving the City's wastewater system or any part thereof.
- 3. Any purpose authorized by Section 90.2 of the City Charter.
- 4. Paying the cost of mitigation of fair share overburdens within any City Council district as more fully set forth in Section 64.0403(c).

(c) Fair share overburdens and mitigation therefrom shall require specific findings by the City Council that a City Council district has been or will be overburdened by more than its fair share of wastewater projects that have been located or constructed, or will be located or constructed, within its territorial boundaries. City Council findings shall be based upon factual and empirical evidence of the overburden and shall require and provide a clear and concise nexus between the overburden caused by the project and any proposed mitigation. Such matters shall be considered at the time when an award of a construction contract resulting in or adding to the overburden is being considered by the City Council. Under no circumstances shall the mitigation compensation require the use of Sewer Revenue Funds in excess of 2.5% of the estimated construction cost of the project.

Section 2. 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 Ted Bromfield  
Ted Bromfield  
Chief Deputy City Attorney

TB:mb  
07/27/93  
Or.Dept:Atty.  
O-94-13

NEW LANGUAGE - SHADED

(O-94-13)

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ADOPTED ON \_\_\_\_\_

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or improving the City's wastewater system or any part  
thereof.

3. Any purpose authorized by Section 90.2  
of the City Charter.

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share overburdens within any City Council district as  
more fully set forth in Section 64.0403(c).

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be overburdened by more than its fair share of waste-  
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TB:mb  
07/27/93  
Or.Dept:Atty.  
O-94-13  
Form=o+t

Passed and adopted by the Council of The City of San Diego on **SEP 27 1993**  
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**SUSAN GOLDING**  
 Mayor of The City of San Diego, California.

(Seal)

**CHARLES G. ABDELNOUR**  
 City Clerk of The City of San Diego, California.

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 **SEP 07 1993**, and on **SEP 27 1993**

~~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.

(Seal)

**CHARLES G. ABDELNOUR**  
 City Clerk of The City of San Diego, California.

By *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <b>0-17987</b>	<b>SEP 27 1993</b> Adopted

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21.8.83 1849

RECEIVED  
93 AUG 20 AM 8:47  
CITY CLERKS OFFICE  
SAN DIEGO, CA

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21.8.83

51

1983

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CITY CLERKS OFFICE  
SAN DIEGO, CA

1983

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CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
93 OCT 18 AM 9:22  
SAN DIEGO, CALIF.

OFFICE OF THE CITY CLERK  
2ND FLOOR  
CITY ADMINISTRATION BUILDING  
202 C STREET  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 4, DIVISION...

I, Corey Donahue, 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 0-17987 (NEW SERIES)**  
AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 4, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 64.0403 RELATING TO THE SEWER REVENUE FUND.  
This amendment permits the determination and payment of mitigation compensation for fair share overburdens within any Council district and provides a specified means for such a determination.  
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 SEP 07 1993  
Passed and adopted by the Council of the City of San Diego on SEP 27, 1993  
AUTHENTICATED BY: SUSAN GOLDING  
Mayor of The City of San Diego, CA  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, CA  
SEAL By MARY CEPEDA, Deputy  
Pub. Oct. 11 279358

ORDINANCE NUMBER 0-17987 (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:

OCT. 11

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

Dated at San Diego, California this 11th day of OCT., 19 93.

*Corey Donahue*  
(Signature)

2" x 2 = \$ 58.88