

**ORDINANCE NO. 28617**

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING ORDINANCE NO. 28349 TO APPROPRIATE MONEYS IN THE EVERGREEN BENEFIT ASSESSMENT DISTRICT FUND FOR REIMBURSEMENT TO THE EVERGREEN SPECIFIC PLAN PROPERTY OWNERSHIP PARTNERSHIP; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION**

**WHEREAS**, it has been certified that there will be available for appropriation in the Evergreen Benefit Assessment District Fund in the fiscal year 2008-2009 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$2,056,013;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:**

SECTION 1. Section 34.02 of Ordinance No. 28349 is hereby amended to read as fully set forth on EXHIBIT "A," entitled "AMENDMENTS TO ORD. 28349," which is attached hereto and incorporated herein as though fully set forth in this Section of this Ordinance.

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SECTION 2. This ordinance shall become effective immediately upon adoption, pursuant to Section 605(c) of the Charter of the City of San Jose.

**ADOPTED** IN ACCORDANCE WITH CHARTER SECTIONS 605(c) and 1208  
this 23<sup>rd</sup> day of June 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,  
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk