

RESOLUTION NO. 209612

JAN 10 1974

WHEREAS, the City and County of San Diego have entered into a Joint Exercise of Powers Agreement pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1, of the Government Code of the State of California, dated April 10, 1971 (commencing with Section 6500), whereby the San Diego Planetarium Authority was created; and

WHEREAS, the City leased certain land located in Balboa Park to the Authority for the purpose of constructing a Planetarium and Hall of Science; and

WHEREAS, the Authority leased the completed Planetarium to City; and

WHEREAS, proper management and promotion of the Planetarium is essential to the welfare and best interests of the citizens of San Diego; and

WHEREAS, by agreement dated April 28, 1972, the City contracted with the San Diego Hall of Science, a non-profit corporation, for the management, promotion and operation of the Planetarium, a copy of which agreement is on file in the office of the City Clerk as Document No. 739871; and

WHEREAS, pursuant to the terms of said operating agreement and in consideration for the management, operation and promotion of the Planetarium, City agreed to reimburse the San Diego Hall of Science for its costs of operation related to staffing, training of personnel and other pre-opening expenses and agreed to reimburse

the Hall of Science for its costs of operation after the opening of the Planetarium; and

WHEREAS, expenses for operation exceeded income by \$76,544 during Fiscal Year 1973; and

WHEREAS, the San Diego Hall of Science, Inc., operator of the Space Theater has agreed to fund 50% of the deficit (\$38,272) and has requested the City to fund the remaining 50%; and

WHEREAS, a contributing factor to the deficit was the delay in opening the Space Theater; and

WHEREAS, the operating agreement provides that any obligation by City to pay any consideration for the management, operation and promotion of the Planetarium is subject to the availability of funds as appropriated by the City Council at its sole discretion; and

WHEREAS, the \$38,272 requested by the San Diego Hall of Science is available in Fund 224 and in order to insure continued operation of the Planetarium, it is in the best interests of the City to reimburse the San Diego Hall of Science for 50% of the deficit incurred during Fiscal Year 1973; and

WHEREAS, continued efficient operation of the Planetarium will serve to promote the City of San Diego; NOW, THEREFORE,

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

That the Auditor and Comptroller be and he is hereby authorized to make a cash payment of \$38,272 to the San Diego

Hall of Science from the Transient Occupancy Tax Reserve Fund 224,
Activity 52.98 "San Diego Planetarium Operations" for expenses
incurred in Fiscal Year 1973 operation of the Space Theater.

APPROVED: JOHN W. WITT, City Attorney

By *H. Valderhaug*
Harold Valderhaug, Deputy

nr/1-9-74
(Rev.)

-3-

209612

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE

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 \$ _____ Fund _____

Purpose _____

RECEIVED
CITY CLERK'S OFFICE
1974 JAN -8 AM 11:46
SAN DIEGO, CALIF.

Auditor and Comptroller of
The City of San Diego, Calif.

Date _____, 19 _____ By _____

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 \$ 38,272.00

Dated December 17, _____, 1973

W. B. Sage
Auditor and Comptroller of
The City of San Diego, Calif.

BY *Matt Lupo*
Job Order _____
Resolution No. _____
Project No. _____

Fund 244 Dept./Activity 52.98 Object 3299

Purpose Expences Incurred in Fiscal Year 1973 Operation of Space Theater.

Vendor San Diego Hall of Science.

CERTIFICATE NO. 5325

209612 JAN 10 1974

JAN 10 1974

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

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By Ann C. Jallett, Deputy.

RECEIVED *LB*
CITY CLERK'S OFFICE
1974 JAN -9 PM 4: 58
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **209612** Adopted **JAN 10 1974**