

ORDINANCE NUMBER O- 16141 (New Series)

Adopted on JAN 23 1984

AN ORDINANCE AMENDING ORDINANCE NO. O-16007 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1983-84 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING DOCUMENTS NO. OO-16007-1 AND NO. OO-16007-2, AS AMENDED AND ADOPTED THEREIN, RELATING TO THE CAPITAL IMPROVEMENTS PROGRAM AND TRANSIENT OCCUPANCY TAX NEW CONVENTION FACILITY TRUST FUND (60213) BY TRANSFERRING THE SUM OF \$2,466,786 FROM THE TRANSIENT OCCUPANCY TAX NEW CONVENTION FACILITY TRUST FUND (60213) BY TRANSFERRING THE SUM OF \$,466,786 FROM THE TRANSIENT OCCUPANCY TAX NEW CONVENTION FACILITY TRUST FUND (60213) TO THE CAPITAL IMPROVEMENT PROGRAM FOR THE FOLLOWING PROJECTS: CIP 22-050, MISSION BAY WATER QUALITY (\$1,000,000) AND CIP 22-031.1, PHASE II, SAIL (CRESCENT) BAY DEVELOPMENT (\$1,466,786); AUTHORIZING AND DIRECTING THE AUDITOR AND COMPTROLLER TO TRANSFER THE SUMS AS ENUMERATED.

WHEREAS, during the City Council review of the Fiscal Year 1984 Capital Improvements Program, the Council was advised that the City would be seeking a court ruling on the use of the additional two percent Transient Occupancy tax that was collected after April 1, 1981; and

WHEREAS, at that time, the City Manager recommended these funds, if available, be utilized for two CIP projects: Mission Bay Water Quality (CIP 22-050) for water quality improvements (\$686,000) and Sail Bay Development (CIP 22-031.1) to provide for public beach access (\$1.8 million); and

WHEREAS, the City Attorney has now advised that the above Transient Occpuancy Tax funds, in the amount of \$2,466,786, are available for expenditure and it is recommended that these funds

be allocated to Mission Bay Water Quality, CIP 22-050, for the Rose Creek Sedimentation Basins (\$1,000,000) and to Sail (Crescent) Bay Development, CIP 22-031.1 (\$1,466,786); NOW, THEREFORE,

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

Section 1. That Ordinance No. O-16007 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1983-84 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," be and the same is hereby further amended by amending Documents No. OO-16007-1 and No. OO-16007-2, as amended and adopted therein, by transferring the sum of \$2,466,786 from the Transient Occupancy Tax New Convention Facility Trust Fund (60213) to the Capital Improvement Program for projects as follows: \$1,000,000 to CIP 22-050, Mission Bay Water Quality and \$1,466,786 to CIP 22-031.1 (Phase II), Sail (Crescent) Bay Development.

Section 2. That Auditor and Comptroller be and he is hereby fully authorized and directed to transfer the sums as enumerated in section 1 above.

Section 3. This ordinance shall take effect and be in force immediately upon its adoption after two (2) public hearings, pursuant to the authority contained in sections 16, 17 and 71 of the Charter of The City of San Diego.

APPROVED: John W. Witt, City Attorney

By Jack Katz
Jack Katz
Chief Deputy City Attorney

JK:smm:lll
1/4/84
Or.Dept:Fin.Mgt.
Aud.Cert:84498
O-84-144
Form=o.btof

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE AC 84498 _____

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 \$ 2,466,786 Fund T.O.T. New Convention Facility Trust

60213

Purpose Increase 1984 Capital Improvements Program for Mission Bay Water Quality
 CIP 22-050 by \$1,000,000 and for Sail (Crescent) Bay-Development, Phase II, CIP 22-031.1 by \$1,466,786

[Signature]
 Auditor and Comptroller

Date January 3, 19 84

By *[Signature]*

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

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 \$ _____

Auditor and Comptroller

Dated _____, 19 _____ BY _____

PURPOSE _____

VENDOR _____

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

JAN 23 1984

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<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"/>
William Jones	<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"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

(Seal)

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

By June A. Blackwell, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on JAN 23 1984, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

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 June A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

RECEIVED
CITY CLERK'S OFFICE

CERTIFICATE OF PUBLICATION

1984 FEB -8 AM 11:30

SAN DIEGO, CALIF.

CITY OF SAN DIEGO
ATTN: JUNE A. BLACKNELL
202 C St., 12th Floor
SAN DEIGO, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NO. O-16141

**ORDINANCE NO. O-16141
(New Series)**

AN ORDINANCE AMENDING ORDINANCE NO. O-16007 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1984-85 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING PARAGRAPHS NO. OO-16007-1 AND NO. OO-16007-2, AS AMENDED AND ADOPTED THEREIN, RELATING TO THE CAPITAL IMPROVEMENTS PROGRAM AND TRANSIENT OCCUPANCY TAX NEW CONVENTION FACILITY TRUST FUND (50213) BY TRANSFERRING THE SUM OF \$2,488,788 FROM THE TRANSIENT OCCUPANCY TAX NEW CONVENTION FACILITY TRUST FUND (50213) BY TRANSFERRING THE SUM OF \$1,488,788 FROM THE TRANSIENT OCCUPANCY TAX NEW CONVENTION FACILITY TRUST FUND (50213) TO THE CAPITAL IMPROVEMENT PROGRAM FOR THE FOLLOWING PROJECTS: CIP 22-080, MISSION BAY WATER QUALITY (\$1,000,000) AND CIP 22-031.1, PHASE II, SAIL (CRESCENT) BAY DEVELOPMENT (\$1,488,788); AUTHORIZING AND DIRECTING THE ALDERMAN AND COMPTROLLER TO TRANSFER THE SUMS AS ENUMERATED.

This ordinance amends the annual appropriation ordinance to transfer residual Transient Occupancy Tax Funds in the sum of \$2,488,788 from the New Convention Facility Trust Fund (50213) to the Capital Improvements Program for allocation to CIP 22-080, Mission Bay Water Quality (\$1,000,000) and CIP 22-031.1, Phase II, Sail Bay Development (\$1,488,788). These are funds which remained with the City after all reasonable efforts were made to return same to the paying individuals, pursuant to an order of the Superior Court of San Diego.

A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, California, 202 "C" Street, San Diego, CA 92101.

Introduced, reading dispensed with and adopted by the City Council of the City of San Diego on JANUARY 23, 1984

AUTHENTICATED BY:

ROGER HEDGECOCK,

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California

By JUNE A. BLACKNELL, Deputy

Publised Feb. 6, 1984

60-2007

I, Carrie Gedeon, 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 NO. O-16141
(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:

February 6, 1984

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

Dated at San Diego, California this 6th day of Feb., 19 84.

Carrie Gedeon
00349 (Signature)

8" x 8.87 = 70.96