

orig

(O-85-218 REV.)

ORDINANCE NUMBER O- 16455 (New Series)

ADOPTED ON JUN 25 1985

AN ORDINANCE AMENDING ORDINANCE NO. O-16249 (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 DOCUMENT NO. OO-16249-1, AS AMENDED AND ADOPTED THEREIN, BY TRANSFERRING THE AMOUNT OF SALES TAX APPROPRIATED IN FUND 10227, CONTRIBUTION TO REDEVELOPMENT AGENCY IN THE SUM OF \$2,619,683 TO FUND 30245, CAPITAL OUTLAY FUND; FURTHER APPROPRIATING THE SUMS OF \$419,683 OF TRANSIENT OCCUPANCY TAX, FUND 10224 TO CIP NO. 39-054 (HORTON PLAZA THEATRE) AND \$2,200,000 OF TRANSIENT OCCUPANCY TAX, FUND 10224 TO CIP NO. 39-303 (SAN DIEGO ART CENTER).

WHEREAS, the fiscal year 1985 CIP includes two projects financed through the repayment of prior loans made to the Centre City Development Corporation (CCDC) (Horton Plaza Theatre and San Diego Art Center); and

WHEREAS, the Auditor and Comptroller has advised the City Manager that CCDC has paid the Capital Outlay Fund \$2,619,683 more than was loaned from that fund for the Columbia Redevelopment Area; and

WHEREAS, there is outstanding Capital Outlay Fund debt in other redevelopment areas, but each redevelopment area is accounted for separately and the Columbia Area has now overpaid its Capital Outlay debt; and

WHEREAS, CCDC loan repayments originate primarily from tax increments generated in each of three project areas and such tax

increments are restricted to repayment of debts for that area alone; and

WHEREAS, since CCDC has no Capital Outlay debt to repay in the Columbia area, the Auditor and Comptroller will transfer the overpayment to the Transient Occupancy Tax Fund where there is an outstanding debt; and

WHEREAS, in order to fund the projects financed by this repayment, Horton Plaza Theatre and the San Diego Art Center, it is necessary to shift their funding to the TOT Fund; NOW, THEREFORE,

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


Section 1. That Ordinance No. O-16249 (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," be and the same is hereby amended by amending Document No. 00-16249-1, as amended and adopted therein by directing the Auditor and Comptroller to transfer the sum of \$2,619,683 in sales tax appropriated in Fund 10227, Contribution to Redevelopment Agency (\$419,683 from CIP 39-054, Horton Plaza Theatre and \$2,200,00 from CIP No. 39-303, San Diego Art Center) to Fund 30245, Capital Outlay Fund.

Section 2. That the Auditor and Comptroller be and he is hereby authorized to appropriate the sums of \$419,683 and \$2,200,000 of Transient Occupancy Taxes, Fund 10224, to CIP No. 39-054 (Horton Plaza Theatre) and CIP No. 39-303 (San Diego Art Center) respectively.

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, Chief Deputy

JK:smm  
6/10/85  
REV.6/25/85  
Or.Dept:Fin.Mgt.  
O-85-218  
Aud.Cert:859128  
Form:o.btof

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATION OF UNALLOTTED BALANCE AC 859128

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 \$ 2,619,683.00 Fund 10227 / 30245

Purpose Authorizing the appropriation of Transient Occupancy Tax, Fund 10224, to CIP 39-054 (Horton Plaza Theatre) and Transient Occupancy Tax, Fund 10224, To CIP 39-303 (San Diego Art Center).

*CR Ryan*  
 Auditor and Comptroller

Date June 5, 19 85

By *Laine Bradley*

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

FUND OVERRIDE

5500

Passed and adopted by the Council of The City of San Diego on JUN 25 1985,  
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 type="checkbox"/>	<input checked="" 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 Struiksmma	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input checked="" 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 Ellen Board, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on  
JUN 25 1985, 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 Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Ordinance 0-16455 Adopted JUN 25 1985  
Number ..... Adopted .....

JUN 25 1985

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 type="checkbox"/>	<input checked="" 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 Struiksmma	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input checked="" 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.

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

(Seal)

By Ellen Bovard, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on JUN 25 1985, 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 Ellen Bovard, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16455 Adopted JUN 25 1985

RECEIVED  
CITY CLERK'S OFFICE  
1985 JUN 19 PM 3:54  
SAN DIEGO, CALIF.

JUN 19 1985

JUN 19 1985

00939

JUN 19 1985

CERTIFICATE OF PUBLICATION

JUL 12 PM 2:26  
SAN DIEGO, CALIF.

CITY OF SAN DIEGO  
OFFICE OF THE CITY CLERK  
202 "C" STREET - 12TH FLOOR  
SAN DIEGO CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING ORDINANCE NO. 0-16249 (NEW SERIES),

ORDINANCE NUMBER 0-16455 (NEW SERIES)  
ADOPTED ON JUNE 25, 1985  
AN ORDINANCE AMENDING ORDINANCE NO. 0-16249 (NEW SERIES) AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1985 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING DOCUMENT NO. 00-18348-1, AMENDED AND ADOPTED THEREIN, BY TRANSFERRING THE AMOUNT OF SALES TAX APPROPRIATED IN FUND 10227, CONTRIBUTION TO REDEVELOPMENT AGENCY, IN THE SUM OF \$2,619,683 TO FUND 30246, CAPITAL OUTLAY FUND; FURTHER APPROPRIATING THE SUMS OF \$419,000 OF TRANSIENT OCCUPANCY TAX, FUND 10224 TO CIP NO. 39-054 (HORTON PLAZA THEATRE) AND \$2,200,000 OF TRANSIENT OCCUPANCY TAX, FUND 10224 TO CIP NO. 39-303 (SAN DIEGO ART CENTER).  
This ordinance amends the budget for FY 1985 by transferring the sum of \$2,619,683 from Fund 10227, Contribution to Redevelopment Agency to the Capital Outlay Fund (30246); and further appropriating the sum of \$419,683 of TOT Funds (10224) to CIP No. 39-054, Theatre and \$2,200,000 of TOT Funds (10224) to CIP No. 39-303, Diego Art Center.  
A complete copy of the ordinance is available for inspection at the office of the City Clerk of the City of San Diego, 12th floor, Administration Building, 202 "C" Street, San Diego, CA 92101. This copy was produced, reading dispensed with and adopted by the Council of the City of San Diego on June 25, 1985.  
ATTEST:  
CITY CLERK AUTHENTICATED BY:  
ROGER HEDGECOCK  
Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR  
Deputy City Clerk of The City of San Diego, California.  
ELLEN BOYARD  
Deputy City Clerk of The City of San Diego, California.

I, Michael L. Ungashick, 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 0-16455 (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:

July 8, 1985

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

Dated at San Diego, California this 8th day of July, 1985.

Michael L. Ungashick  
(Signature)

$3 \frac{9}{8} \times 2 \times 9.76 = 70.76$

00340