

(O-88-200)

ORDINANCE NUMBER O- 17104 (New Series)

ADOPTED ON JUN 06 1988

AN ORDINANCE AMENDING ORDINANCE NO. O-16916 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1987-88 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING DOCUMENT NO. OO-16916-1, AS AMENDED AND ADOPTED THEREIN, BY ADDING TO THE FISCAL YEAR 1988 CAPITAL IMPROVEMENTS PROGRAM A NEW CAPITAL IMPROVEMENTS PROJECT NO. 29-406.0, ENTITLED "NOBEL ATHLETIC AREA - ACQUISITION AND DEVELOPMENT" AND BY INCREASING THE CAPITAL IMPROVEMENTS PROGRAM BY THE SUM OF \$800,000 BY ALLOCATING TO SAID CIP NO. 29-406.0 PARK SERVICE DEVELOPMENT FEES FROM FUNDS AS FOLLOWS: \$24,478 FROM PSD FUND 11481, \$583,053 FROM PSD FUND 11482, \$181,457 FROM PSD FUND 11483 AND \$11,012 FROM PSD FUND 13460; DIRECTING THE AUDITOR AND COMPTROLLER TO EXPEND \$800,000 FROM SAID PSD FUNDS (\$24,478 FROM PSD FUND 11481, \$583,053 FROM PSD FUND 11482, \$181,457 FROM PSD FUND 11483 AND \$11,012 FROM PSD FUND 13460) FOR CIP NO. 29-406.0.

WHEREAS, the Nobel Athletic Area is one of the population-based parks identified in the University Community Plan; and

WHEREAS, the City Council approval of Tentative Map No. TM-86-0994 and Planned Residential Development Permit No. PRD 86-0094 requires the developer of the Village of Five Creeks project to:

1. Deed Lot 19 (1.11 acres) to the City to be used as part of the park.

2. Enter into an agreement with the City for the preparation of a park master plan and for the construction of a portion of the park. The developer's share of the project's costs are not to exceed \$500,000; and

WHEREAS, the proposed agreement with Ahmanson Developments Inc. provides the park master plan and the construction of a portion of the approximately 28 usable acre park site; and

WHEREAS, the developer will contribute the first \$500,000 worth of development, advance the next \$800,000 in construction costs and the City will reimburse the developer monthly for those costs incurred in excess of \$500,000. The developer's obligation will not exceed \$500,000 and the City's obligation will not exceed \$800,000; NOW, THEREFORE,

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

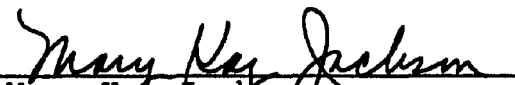
Section 1. That Ordinance No. O-16916 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1987-88 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," be and the same is hereby amended by amending Document No. OO-16916-1, as amended and adopted therein, by adding to the Fiscal Year 1988 Capital Improvements Program a new Capital Improvement Project No. 29-406.0, entitled "Nobel Athletic Area - Acquisition and Development" and by increasing the Capital Improvements Program by the sum of \$800,000 by allocating to said CIP No. 29-406.0 Park Service Development fees from funds as follows: \$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD

Fund 11483 and \$11,012 from PSD Fund 13460; directing the Auditor and Comptroller to appropriate and transfer \$800,000 from said PSD Funds to CIP No. 29-406.0 (\$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483 and \$11,012 from PSD Fund 13460).

Section 2. That the Auditor and Comptroller be and he is hereby directed to expend the sum of \$800,000 from Park Service District Funds (\$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483 and \$11,012 from PSD Fund 13460) for CIP No. 29-406.0.

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 
Mary Kay Jackson
Deputy City Attorney

MKJ:mrh
05/11/88
Aud.Cert.:8800899
Or.Dept:Pk.&Rec.
O-88-200
Form=o.btof

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 8800899

ORIGINATING DEPT. NO.: 441

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 _____

Date _____, 19____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

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 \$ 800,000.00

Vendor AHMANSON DEVELOPMENTS INC.

Purpose Authorizing expenditure of funds for agreement with Ahmanson Developments

AND increasing Capital Improvements Program

Date April 6, 19 88 By: Nancy McManus

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		11481			9544					\$ 24,478.00
2		11482			9544					583,053.00
3		11483			9544					181,457.00
4		13460			9544					11,012.00
TOTAL AMOUNT										\$800,000.00

FUND OVERRIDE

AC-381 (REV 3-86)

AC 8800899

JUN 06 1988

0-27104

RECEIVED
CLERK'S OFFICE

1988 JUN 16 PM 2:54 *nt*

SAN DIEGO, CALIF.

JUN 06 1988

Passed and adopted by the Council of The City of San Diego on....., 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By: *Lena M. Martin*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on JUN 06 1988, 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: *Lena M. Martin*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17104 Adopted JUN 06 1988

RECEIVED 75 118
CITY CLERK'S OFFICE
1988 MAY 19 PM 12:34
SAN DIEGO, CALIF.

404

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET
SAN DIEGO, CA 92101

IN THE MATTER OF
AN ORDINANCE AMENDING ORDINANCE NO. 0-16916
(NEW SERIES)...

NO.

**ORDINANCE NUMBER O-17104 (New Series)
ADOPTED ON JUN 06 1988**

AN ORDINANCE AMENDING ORDINANCE NO. 0-16916 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1987-88 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING DOCUMENT NO. OO-16916-1, AS AMENDED AND ADOPTED THEREIN, BY ADDING TO THE FISCAL YEAR 1988 CAPITAL IMPROVEMENTS PROGRAM A NEW CAPITAL IMPROVEMENTS PROJECT NO. 29-406.0, ENTITLED "NOBEL ATHLETIC AREA - ACQUISITION AND DEVELOPMENT" AND BY INCREASING THE CAPITAL IMPROVEMENTS PROGRAM BY THE SUM OF \$800,000 BY ALLOCATING TO SAID CIP NO. 29-406.0 PARK SERVICE DEVELOPMENT FEES FROM FUNDS AS FOLLOWS: \$24,478 FROM PSD FUND 11481, \$583,053 FROM PSD FUND 11482, \$181,457 FROM PSD FUND 11483 AND \$11,012 FROM PSD FUND 13460; DIRECTING THE AUDITOR AND COMPTROLLER TO EXPEND \$800,000 FROM SAID PSD FUNDS (\$24,478 FROM PSD FUND 11481, \$583,053 FROM PSD FUND 11482, \$181,457 FROM PSD FUND 11483 AND \$11,012 FROM PSD FUND 13460) FOR CIP NO. 29-406.0.

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WHEREAS, the City Council approval of Tentative Map No. TM-88-0094 and Planned Residential Development Permit No. PRD 88-0094 requires the developer of the Village of Five Creeks project to:

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

Section 1. That Ordinance No. O-16916 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1987-88 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. OO-16916-1, as amended and adopted therein, by adding to the Fiscal Year 1988 Capital Improvements Program a new Capital Improvement Project No. 29-406.0, entitled "Nobel Athletic Area - Acquisition and Development" and by increasing the Capital Improvements Program by the sum of \$800,000 by allocating to said CIP No. 29-406.0 Park Service Development fees from funds as follows: \$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483 and \$11,012 from PSD Fund 13460; directing the Auditor and Comptroller to appropriate and transfer \$800,000 from said PSD Funds to CIP No. 29-406.0 (\$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483 and \$11,012 from PSD Fund 13460).

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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.

I, THOMAS D. KELLEHER, 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 0-17104
(NEW SERIES) ADOPTED ON
JUN 06 1988

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:

JUNE 21

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

Dated at San Diego, California this 21 day of JUNE, 1988.


(Signature) 6

73 lines x .98 = 143.08
6.625 x 10.78 = \$ 142.84