

RESOLUTION NUMBER R- 287175

ADOPTED ON APR 15 1996

RESOLUTION AMENDING RESOLUTION NO. R-283838  
ADOPTED ON MAY 9, 1994, TO REIMBURSE COP-  
FUNDED TENANT IMPROVEMENTS TO STARLIGHT BOWL.

WHEREAS, on May 9, 1994, the City Council adopted Resolution No. R-283838, which authorized the City Manager to enter into an agreement with the San Diego Civic Light Opera Association to reimburse a substantial portion of the cost to upgrade the facility; and

WHEREAS, an expenditure of an amount not to exceed \$1,273,360 in Balboa Park/Mission Bay Park Certificates of Participation ("COP") was identified to fund the City's share of the costs to upgrade the facility; and

WHEREAS, the agreement was structured to reflect a \$250,000 allocation from the COP 1B issuance and a \$1,023,360 allocation from the COP 1C issuance; and

WHEREAS, the City issued COP 1B in November 1993 and anticipates issuing COP 1C in late summer of calendar year 1996; and

WHEREAS, to date, the Association has incurred reimbursable design and construction costs totaling \$56,788.04 in excess of their COP 1B amount and has submitted a request for advance reimbursement of the additional amount from the Association's COP 1C allocation; and

WHEREAS, the Association's request for reimbursement can be accommodated by amending the original resolution (R-283838) which was prepared to authorize the original reimbursement agreement; and

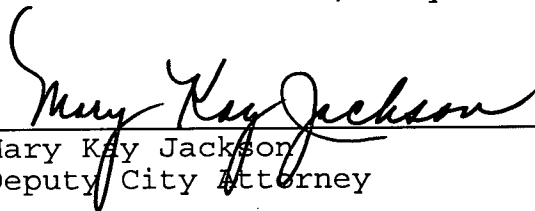
WHEREAS, this resolution amends Resolution No. R-283838 to provide for an advance in the COP 1C allocation from project savings currently available in the Balboa Park/Mission Bay Park Capital Improvement Program; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that Resolution No. R-283838 adopted on May 4, 1994, is hereby amended to provide for an advance reimbursement of costs incurred for design and construction of improvements to the Starlight Bowl.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to advance funds previously budgeted in CIP 21-834.0, Balboa Park/Mission Bay Park Requirements, COP 1C Allocation, in an amount not to exceed \$56,788.04 from available COP 1B proceeds Fund No. 91101.

APPROVED: JOHN W. WITT, City Attorney

By

  
Mary Kay Jackson  
Deputy City Attorney

MKJ:mb  
03/26/96  
Aud.Cert:9601028  
Or.Dept:Eng&CP  
R-96-1140  
Form=r.auagr

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9601028

ORIGINATING

DEPT. NO.: 543

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 \_\_\_\_\_ 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

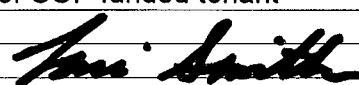
**CERTIFICATION OF UNENCUMBERED BALANCE**

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 money 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 \$ 56,788.04


Vendor San Diego Civic Light Opera Association

Purpose Authorizing the expenditure of funds for the reimbursement of COP funded tenant Improvements to the Starlight Bowl

Date March 26, 1996 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |       |       |       |      |         |           |                   |             |          |             |
|-----------------|-------|-------|-------|------|---------|-----------|-------------------|-------------|----------|-------------|
| ACCTG. LINE     | CY PY | FUND  | DEPT  | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT      |
| 01              | 0     | 30244 | 30244 | 103  | 4279    | 218402    |                   | 91101       |          | \$56,788.04 |
|                 |       |       |       |      |         |           |                   |             |          |             |
|                 |       |       |       |      |         |           |                   |             |          |             |
|                 |       |       |       |      |         |           |                   |             |          |             |
| TOTAL AMOUNT    |       |       |       |      |         |           |                   |             |          | \$56,788.04 |

 287175

APR 15 1996

FUND OVERRIDE

AC 9601028