

ORDINANCE NUMBER O- 18388 (NEW SERIES)

ADOPTED ON MAR 17 1997

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING AND APPROVING AN  
AMENDMENT TO THE REIMBURSEMENT AGREEMENT  
BETWEEN THE CITY OF SAN DIEGO AND THE MUSEUM  
OF NATURAL HISTORY

WHEREAS, on March 29, 1993, the San Diego City Council adopted a resolution authorizing the City Manager to execute a reimbursement agreement with the SAN DIEGO SOCIETY OF NATURAL HISTORY to fund space conditioning, fire suppression, and structural improvements to the MUSEUM OF NATURAL HISTORY building in BALBOA PARK; and

WHEREAS, reimbursement of the improvement costs by The City of San Diego was provided from Balboa Park and Mission Bay Park Capital Improvement Program Certificates of Participation (COP) Phase IA and IB proceeds; and

WHEREAS, the building improvements have been completed and The City of San Diego has disbursed the total amount of reimbursement from the COP proceeds stipulated under the terms and conditions of the agreement; and

WHEREAS, on November 21, 1996, the Committee on Natural Resources Culture approved a list of projects that would receive an allocation of funds from \$5.7 million in additional proceeds from the issuance of Phase IC COPs, which list included funding for building renovation work to the Museum of Natural History; NOW, THEREFORE,

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

Section 1. That the City Manager be and he is hereby authorized to execute a First Amendment to Reimbursement Agreement with the San Diego Society of Natural History for reimbursement of renovation improvements to the Museum of Natural History in Balboa Park, a copy of which is on file in the office of the City Clerk as Document No. OO- 18388, with such non-material, non-substantive changes as the City Manager shall approve as being necessary or in the best interests of the City and which, in the opinion of the City Attorney, do not: 1) increase the financial commitments or the scope of the obligations of the City, or 2) decrease revenue to the City, such approval to be conclusively evidenced by the execution and delivery of the First Amendment.

Section 2. That the City Auditor and Comptroller be and he is hereby authorized to expend an amount not to exceed \$600,000 from CIP 21-834.0 "Balboa Park/Mission Bay Park Requirements," San Diego Facilities and Equipment Leasing Corporation Construction Fund 91106 (Certificates of Participation Phase 1C proceeds) for reimbursement of Museum of Natural History renovation improvements.

Section 3. That the Auditor and Comptroller be and he is hereby authorized to increase the Fiscal Year 1997 COP Phase 1C Fund 91106 appropriation for CIP 21-834..0 "Balboa Park/Mission Bay Park Requirements," in the amount of \$600,000.

Section 4. The City Manager or his designee, any Deputy City Manager, the City Attorney, any Deputy City Attorney, the City Clerk and any Assistant City Clerk, and each of them acting alone or together, are hereby authorized and directed, for and in the name of and on behalf of the City, to take such actions, and to execute such documents and certificates as may be


necessary to effectuate the purposes of this Ordinance.

Section 5. The City Clerk shall cause notice of the public hearing to be held on **MAR 17 1997**, 1997, at 2:00 p.m. at the regular meeting place of the City Council of the City, on the approval of the proposed First Amendment to Reimbursement Agreement with the San Diego Society of Natural History, to be published at least ten (10) days in advance of such public hearing in the San Diego Daily Transcript, a daily newspaper of general circulation, published and circulated in the City of San Diego, as required by Section 99 of the City Charter.

Section 6. The City Clerk is hereby directed to cause publication of notice of the adoption of this Ordinance for five (5) consecutive days in the San Diego Daily Transcript, a daily newspaper of general circulation, published and circulated in the City and County of San Diego, as required by California Government Code section 6040.1, within fifteen (15) days from the passage hereof pursuant to California Government Code section 6547.2.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By   
Theresa C. McAteer  
Deputy City Attorney

TCM:cdk  
02/11/97  
Or.Dept:Eng.&Cap. Proj..  
O-97-85

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9700529

ORIGINATING

DEPT. NO.: 545

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 \$ 600,000.00

Vendor Museum of Natural History

Purpose Authorizing the expenditure of funds for the first amendment to reimbursement agreement with Museum of Natural History contingent upon the approval of the S.D. Facilities Equipment Leasing Corp. Board.

Date November 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	91106			9544					\$600,000.00
TOTAL AMOUNT										\$600,000.00

FUND OVERRIDE

0- 18388

MAR 17 1997

AC 9700529

**ORDINANCE No.           O-18389           (New Series)**

Council Meeting of March 18, 1997

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

Ordinance Number O-18389 (New Series) was inadvertently assigned to Item 200, Subitem A, of the Council Meeting of Tuesday, March 18, 1997. This item was actually a reintroduction of an Ordinance because of substantive changes that were made to the Ordinance, and it will be returned for adoption on March 31, 1997.

ms

March 25, 1997

2003

ORDINANCE No. O-18390 (New Series)

Council Meeting of March 18, 1997

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

Ordinance Number O-18390 (New Series) was inadvertently assigned to Item 200, Subitem B, of the Council Meeting of Tuesday, March 18, 1997. This item was actually a reintroduction of an Ordinance because of substantive changes that were made to the Ordinance, and it will be returned for adoption on March 31, 1997.

ms

March 25, 1997