ORDINANCE NUMBER O- 19279 (New Series)

ADOPTED ON MAY 17 2004

AN ORDINANCE OF THE CITY OF SAN DIEGO AUTHORIZING A LOAN AGREEMENT WITH THE CALIFORNIA ENERGY COMMISSION TO IMPLEMENT ENERGY EFFICIENCY IMPROVEMENTS.

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

Section 1. That the City Manager or his duly authorized designee is hereby authorized, for and on behalf of the City, to apply for, enter into, conduct negotiations for, and execute and comply with all requirements for a fifteen-year loan agreement with the California Energy Commission in the amount of \$2,230,000 at a rate of 3.95% interest, to implement energy efficiency improvements, under the terms and conditions set forth in the Energy Conservation Assistance Account Loan Agreement No. 023-03-ECB, on file in the office of the City Clerk as Document Number OO-

Section 2. That the City Auditor and Comptroller is hereby authorized to establish a special interest-bearing fund for the above loan and to expend funds as directed by the administering department.

Section 3. That in accordance with the Annual Appropriation Ordinance, the City Auditor and Comptroller is authorized and directed to amend the Fiscal Year 2004 Capital Improvement Program budget to add CIP 37-017.0, Annual Allocation – City Facility Energy Improvements.

Section 4. That the City Auditor and Comptroller is further authorized and directed to

increase CIP 37-017.0, Annual Allocation – City Facility Energy Improvements, by the amount

of \$2,230,000.

Section 5. That contingent upon receipt of a fully executed loan agreement, the City

Auditor and Comptroller is further authorized to appropriate and expend an amount not to

exceed \$2,230,000 from CIP 37-017.0, Annual Allocation – City Facility Energy Improvements.

Section 6. That the expenditure of an amount not to exceed \$300,000 from the Capital

Outlay Revolving Fund No. 30245, Department 3245, Organization Number 102, is hereby

authorized, solely and exclusively to provide an advance to reimbursable loan funds from the

California Energy Commission for the Capital Improvement Program costs in connection with

facility energy improvements.

Section 7. That a full reading of this ordinance is dispensed with prior to its final passage,

a written or printed copy having been available to the City Council and the public a day prior to

its final passage.

Section 8. 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

Deputy City Attorney

FMO:mb 04/27/04

Or.Dept: ESD

O-2004-134

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

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