

RESOLUTION NUMBER R- 300337

ADOPTED ON APR 18 2005

WHEREAS, San Diego Charter section 103.1a created the Environmental Growth Fund, into which 25 percent of all moneys derived from the revenues accruing to the City from any franchises for the transmission and distribution of gas, electricity, and steam within the City of San Diego shall be deposited; and

WHEREAS, the Environmental Growth Fund shall be used exclusively for the purpose of preserving and enhancing the environment of the City of San Diego; provided, however that two-thirds of the moneys paid into the Environmental Growth Fund shall be used exclusively as a debt service for bonds issued for the acquisition, improvement and maintenance of open space to be used for park and recreation purposes; and

WHEREAS, if two-thirds of the moneys paid into the Environmental Growth Fund exceed the amount necessary to service any outstanding bonds issued for the above purposes; and

WHEREAS, two-thirds of the moneys paid into the Environmental Growth Fund exceed the amount necessary to service the Open Space General Obligation Refunding Bonds, Series 1994; and

WHEREAS, pursuant to San Diego Municipal Code section 63.30(d), if the City Manager determines that anticipated revenues in any fiscal year will be insufficient to maintain existing City services necessary for preserving and enhancing the environment, the City Manager may ask the City Council to temporarily suspend compliance with Section 63.30 in order to

allow the Environmental Growth Funds to be allocated consistent with San Diego Charter section 103.1a; and

WHEREAS, the City Manager has determined that anticipated revenues for Fiscal Year 2006 will be insufficient to maintain existing City services necessary for preserving and enhancing the environment; NOW, THEREFORE,

BE IT RESOLVED, that the City Manager hereby requests that the City Council temporarily suspend compliance with San Diego Municipal Code section 63.30 for Fiscal Year 2006.

BE IT FURTHER RESOLVED, that the City Council hereby determines to temporarily suspend compliance with San Diego Municipal Code section 63.30 for Fiscal Year 2006.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Kelly J. Salt  
Deputy City Attorney

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03/09/05  
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