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(O-2008-105)

ORDINANCE NUMBER O- 19723 (NEW SERIES)

DATE OF FINAL PASSAGE MAR 14 2008

AN ORDINANCE OF THE CITY OF SAN DIEGO MODIFYING THE PURPOSE OF THE AUTOMATED CONTAINER FUND IN LIGHT OF THE NEW AUTOMATED REFUSE CONTAINER REPLACEMENT FEE.

WHEREAS, on November 20, 2007, the City Council adopted Resolution No. R-303202, which established a cost recovery fee for replacement automated refuse containers to be charged to City customers who choose to acquire their replacement automated refuse container from the City; and

WHEREAS, in light of the new replacement container fee, the purpose of the existing Automated Container Fund, Fund No. 10509, should be modified to include the receipt of fees for replacement automated refuse containers, receipt of interest earned on that fee revenue, and expenditure or transfer of funds as necessary for purposes of the replacement automated refuse container program, retroactive to January 1, 2008; NOW THEREFORE,

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

Section 1. That retroactive to January 1, 2008, the purpose of the Automated Container Fund is hereby modified to include (1) receipt of replacement automated refuse container fees, including any corresponding delivery fees; (2) receipt of interest earned on said fee revenues; and (3) expenditure or transfer of funds as necessary to cover expenses of administering the replacement automated refuse container program such as expenses for purchase, delivery, handling, repair, and/or replacement of automated refuse containers together with associated labor, materials, and equipment.

Section 2. That this activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3).

Section 3. That a full reading of this ordinance is dispensed with prior to passage, since a written copy was made available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By *Grace C. Lowenberg*
Grace C. Lowenberg
Deputy City Attorney

GCL:mb
02/11/08
Aud.Cert:N/A
Or.Dept:ESD
O-2008-105

I hereby certify that the foregoing ordinance was passed by the Council of the City of San Diego, at its meeting of MAR 11 2008.

ELIZABETH S. MALAND, City Clerk

By *Debbie Swenson Cruz*
Deputy City Clerk

Approved: 3.14.08
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor