

ORDINANCE NUMBER O- 19846 (NEW SERIES)

APR 28 2009

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING ORDINANCE NO. O-19774 (NEW SERIES) ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 2009 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY APPROPRIATING \$95,222 FROM FUND BALANCE AND AUTHORIZING THE COMPTROLLER TO INCREASE THE BALBOA/MISSION BAY IMPROVEMENT FUNDS, FUND 102240, DEPT 1024, EXPENDITURE TO MAKE AN ADDITIONAL LEASE PAYMENT ASSOCIATED WITH THE CERTIFICATES OF PARTICIPATION (BALBOA PARK AND MISSION BAY PARK CAPITAL IMPROVEMENTS PROGRAM), SERIES 1996A.

WHEREAS, on July 28, 2008, the City Council adopted Ordinance No. O-19774 entitled An Ordinance Adopting The Annual Budget For The Fiscal Year 2009 And Appropriating The Necessary Money To Operate The City Of San Diego For Said Fiscal Year [Appropriation Ordinance]; and

WHEREAS, pursuant to the Facilities Lease between the City of San Diego and the San Diego Facilities and Equipment Leasing Corporation [Corporation] related to the Certificates of Participation (Balboa Park and Mission Bay Park Capital Improvements Program) Series 1996A [Certificates of Participation], the City makes lease payments to the Corporation for the use and occupancy of real property; and

WHEREAS, under section 3.1(a) of the Facilities Lease, the City is required to make a Special Deposit into the Lease Payment Account of the Certificates of Participation on May 1, 2009, in addition to the scheduled lease payment on the Certificates of Participation; and

WHEREAS, the budget for the Fiscal Year 2009 Balboa Park/Mission Bay Improvement Funds did not include funds to make the Special Deposit into the Lease Payment Account; and

WHEREAS, the Mayor has no veto power over this ordinance pursuant to the San Diego Charter Section 280(a)(4); NOW, THEREFORE,

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

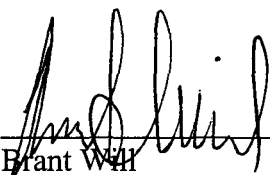
Section 1. That the Appropriation Ordinance is hereby amended to appropriate \$92,555 from Fund Balance to the Balboa/Mission Bay Improvement Funds, Fund 102240, Dept 1024.

Section 2. That the Comptroller is authorized to expend \$92,555 from the Balboa/Mission Bay Improvement Funds, Fund 102240, Dept 1024, to make a Special Deposit into the Lease Payment Account for the Certificates of Participation (Balboa Park and Mission Bay Park Capital Improvements Program) Series 1996A.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. This ordinance is declared to take effect and be in force immediately upon its final passage after two public hearings pursuant to the authority contained in the San Diego Charter sections 71, 275 and 295.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Brant Wall
Deputy City Attorney

BCW:jdf
4/09/09
Or.Dept:Debt Management
O-2009-126

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2900728

DEPT. NO.: 56

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: \$92,555.00

Purpose: Amend FY 2009 Appropriation Ordinance to increase appropriations for Lease payment for COP (Balboa Park & Mission Bay Park Capital Improvement Program), Series 1996A.

Date: April 7, 2009


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	102240			9544					\$92,555.00
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: _____

Vendor: _____

Date: _____

By: Teri Smith

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL										\$92,555.00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2900728

0 - 19846

APR 28 2009