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7/27/10

(O-2010-117 Corr.)

ORDINANCE NUMBER O- 19980 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 03 2010

AN ORDINANCE OF THE CITY OF SAN DIEGO
AUTHORIZING A THIRD AMENDMENT TO THE LEASE
AGREEMENT RELATED TO THE ENVIRONMENTAL
SERVICES DEPARTMENT OPERATIONS STATION.

WHEREAS, in 1998, the City Council approved the purchase of a facility for the City's refuse, recycling, and greenery collection operations (Operations Station); and

WHEREAS, the facility was purchased in full with funds from the Refuse Disposal Enterprise Fund (RDF) with the expectation that the General Fund would reimburse its 55% share of the costs associated with the purchase and improvements of the facility, plus interest, over a period of up to 13 years; and

WHEREAS, pursuant to Council direction, this arrangement was memorialized in a "Lease Agreement;" and

WHEREAS, due to fiscal constraints in the General Fund and the need to incorporate costs of further facility improvements, the Lease Agreement was amended in 2003 and again in 2004; and

WHEREAS, in order to correct inaccuracies in the principal and interest due under the Lease Agreement and in order to relieve continuing financial constraints in the General Fund, a third amendment to the Lease Agreement is proposed which would reduce payments and extend the term of the Lease Agreement; NOW, THEREFORE,

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

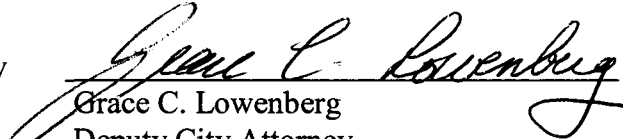
Section 1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, a third amendment to the lease agreement with the Environmental Services Department for repayment of costs associated with the purchase and improvements of the Operations Station, under the terms and conditions set forth in the draft Third Amendment to Lease Agreement, on file with the City Clerk as Document No. OO- 19980, with the estimated annual payments for FY 11 through FY 15 shown therein to be fixed based upon the applicable interest rate in effect on the date of execution thereof.

Section 2. That the Chief Financial Officer is authorized to expend amounts as fixed in the executed Third Amendment to Lease Agreement for each fiscal year as indicated therein, contingent on passage of the Annual Appropriations Ordinance for the applicable fiscal year and provided that the City Comptroller first furnishes one or more certificates demonstrating that the funds are, or will be, on deposit in the City Treasury.

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: JAN I. GOLDSMITH, City Attorney

By 
Grace C. Lowenberg
Deputy City Attorney

GCL:mb
06/29/10
07/09/10 Corr.
Or.Dept:ESD
O-2010-117

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego,
at its meeting of JUL 27 2010.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 8.3.10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor