

ORDINANCE NUMBER O- 19981 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 03 2010

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A LOAN FROM THE CALIFORNIA ENERGY COMMISSION AND TAKING RELATED ACTIONS RELATED TO BROAD SPECTRUM STREET LIGHTING, EECBG ENERGY EFFICIENCY, AND BALBOA PARK BUILDING ENHANCEMENTS.

WHEREAS, the California Energy Commission has loan funding available for energy efficiency measures for which the City is eligible; and

WHEREAS, such loan funding would be used for Broad Spectrum street light improvements; and

WHEREAS, by Resolution R-305276 the Council previously authorized expenditure of funds from the Department of Energy Efficiency Community Development Block Grants;

WHEREAS, a Capital Improvement Project account needs to be established for the CEC loan funds and EECBG funds for energy efficiency projects, NOW, THEREFORE;

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

Section 1. That the Mayor or his representative is authorized, for and on behalf of the City, to execute and comply with California Energy Commission (CEC) Loan No. 003-09-ECA in the principal amount of \$3,000,000 at a rate of 3% interest, to be used for upgrading City-owned street lights with energy efficient Broad Spectrum systems, per the terms on file with the City Clerk in Document No. 00-19981.

Section 2. That the Chief Financial Officer is authorized to accept CEC funds up to \$3,000,000 in accordance with the terms and conditions of CEC Loan No. 003-09-ECA.

Section 3. That contingent on the passage of the Fiscal Year 2011 Annual Appropriation Ordinance, the Chief Financial Officer is authorized to amend the Fiscal Year 2011 Capital Improvement Program budget to establish and add CIP A-BT.00003, City-Wide Energy Improvement Projects.

Section 4. That the funds in the amount of \$12,541,700 previously authorized to be accepted and expended by Resolution No. R-305276 are hereby appropriated.

Section 5. That contingent on passage of the Fiscal Year 2011 Annual Appropriation Ordinance, the Chief Financial Officer is authorized to amend the Fiscal Year 2011 Capital Improvement Program budget to increase CIP A-BT.00003 by the amount of \$9,145,323; with \$3,000,000 of said amount to be from the aforementioned CEC Loan, and \$6,145,323 to be from Fund No. 600000, EECBG Grant 1000251-2009.

Section 6. That the City Comptroller is authorized to transfer \$1,800,045 from AO 1000251-09, Fund No. 600000, EECBG Grant 1000251-2009; \$2,142,792 from AF 1000251-09, Fund 600000, EECBG Grant 1000251-2009; and \$2,202,486 from AJ 1000251-09, Fund No. 600000, EECBG Grant 1000251-2009; all to A-BT.00003, City –Wide Energy Improvement Projects, to perform broad spectrum improvements of street lighting; energy efficiency upgrades at various City owned facilities; and energy efficiency upgrades at leased buildings in Balboa Park.

Section 7. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$9,145,323 from the Annual Allocation A-BT.00003, City-Wide Energy Improvement Projects, consisting of \$3,000,000 from the aforementioned CEC loan and \$6,145,323 from the EECBG funds previously authorized by Resolution No. R-305276 solely and exclusively to provide funds for energy efficiency improvements, contingent upon the City's

receipt of a fully executed loan agreement and provided that the City Comptroller certifies that funds for this expenditure are, or will be on deposit with the City Treasurer.

Section 8. 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 8. 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 Frederick M. Ortlieb  
Frederick M. Ortlieb  
Deputy City Attorney

FMO:mb:ca  
06/29/10  
Or.Dept: Eng&CP  
O-2010-115

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 Elizabeth S. Maland  
Deputy City Clerk

Approved: 8.3.10  
(date)

Jerry Sanders  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor