

ORDINANCE NUMBER O- 20631 (NEW SERIES)

DATE OF FINAL PASSAGE APR 07 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY'S PARTICIPATION IN THE WATER CONSERVATION GARDEN'S JOINT POWER OF AUTHORITY BY AMENDING THE ORIGINAL 2003 AGREEMENT AND TO AUTHORIZE PAYMENT AND CONTINUED PARTICIPATION THROUGH FISCAL YEAR 2026.

WHEREAS, the City of San Diego (City) joined the Water Conservation Garden Joint Powers of Authority (JPA) in 2003, the only demonstration garden in the region that had a full educational component on water efficient landscaping and irrigation, specifically on landscape design, plant selection, use of mulch and various grass types, composting, native plants, fire-wise landscaping, maintenance and irrigation components; and

WHEREAS, it is beneficial for the City and the Public Utilities Department to offer this location to its customers as part of enhanced customer service and education, thus the City moved to join the JPA in 2003 in order to formally support the facility; and

WHEREAS, the Public Utilities Department is first re-routing the original agreement with a blank signature page to obtain authorization to join the JPA and the proper required signatures, is seeking validation of yearly dues paid since 2003, and is seeking approval to continue its participation in the First Amendment to the JPA from FY2016 through FY2017 in an amount not to exceed \$78,097 per year, and authorization to pay dues not to exceed \$80,000 during the period FY2018 through FY2026; 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 validate the City's participation in the Water Conservation Garden's Joint Powers of Authority (JPA) by amending the signature page of the original 2003 agreement to reflect the appropriate signature authority.

Section 2. That the retroactive validation and authorization of payment of the City's annual dues from Public Utilities 700011 Water Utility Operating Fund, Cost Center #2000141301, and General Ledger #512172, is authorized from the date of the original 2003 Agreement through Fiscal Year 2015.

Section 3. That the Mayor, or his designee, is authorized to execute the First Amendment to the Agreement with the JPA for the continued participation in the Water Conservation Garden JPA for Fiscal Years 2016 and 2017, using the same accounting numbers, in an amount not to exceed \$78,097 annually.

Section 4. That the Chief Financial Officer is authorized to expend an amount not to exceed \$78,097 from Public Utilities 700011 Water Utility Operating Fund, Cost Center #2000141301, and General Ledger #512172, for the purpose of funding this First Amendment to the Agreement for Fiscal Years 2016 and 2017, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 5. That the City's continued participation in the Water Conservation Garden JPA through the First Amendment is authorized for Fiscal Years 2018 through 2026, using the same accounting numbers, in an amount not to exceed \$80,000 annually.

Section 6. That the Chief Financial Officer is authorized to expend an amount not to exceed \$80,000 from Public Utilities 700011 Water Utility Operating Fund, Cost Center

#2000141301, and General Ledger #512172, for the purpose of funding this First Amendment from FY2018 through FY2026, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

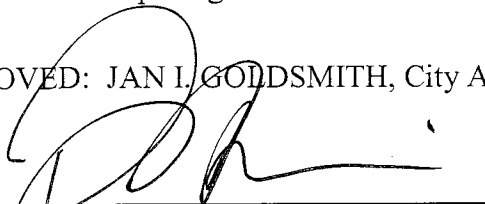
Section 7. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 8. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 9. 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



Raymond C. Palmucci
Deputy City Attorney

RCP:mt
2/29/2016
Or.Dept: Public Utilities
Comptroller's Cert.: 3000008526
Doc. No. 1202733

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 05 2016.

ELIZABETH S. MALAND
City Clerk

By Stacy Rues
Deputy City Clerk

Approved: 4/7/16
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: 3000008526
 2000-Public Utilities

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: _____ Fund: _____

Purpose: _____

Date: _____ By: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
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: \$78,097.00

Vendor: Joint Powers Authority (JPA).

Purpose: Water Conservation Garden Joint Powers Authority Agreement.

Date: January 26, 2016

By: Livia Valles
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
01	700011				512172	2000	2000141301		\$78,097.00
TOTAL AMOUNT									\$78,097.00

FUND OVERRIDE

CC 3000008526

Passed by the Council of The City of San Diego on APR 05 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 07 2016.

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Aty Ready, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 15 2016, and on APR 07 2016.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Aty Ready, Deputy

Office of the City Clerk, San Diego, California

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