

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE ONLY)

TO:
CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
Environmental Services Department

3. DATE:
1/04/08

4. SUBJECT:
Modify Purpose of Automated Container Fund to Accomodate Replacement Automated Refuse Container Program

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)
Charles Woolever, 8/526-2355, MS 1200A

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)
Monique Coleman, 8/526-2335, MS 1200A

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	DEPT.	ORGANIZATION	OBJECT ACCOUNT	JOB ORDER	C.I.P. NUMBER	AMOUNT	9. ADDITIONAL INFORMATION / ESTIMATED COST:

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>Chas Woolever</i>	1/2/08	8	DEPUTY CHIEF	<i>[Signature]</i>	1/30/08
2	EOC	<i>[Signature]</i>	1/10/07	9	COO		
3	EAS	<i>[Signature]</i>	1/4/08	10	CITY ATTORNEY	<i>[Signature]</i>	2/11/08
4	LIAISON OFFICE	<i>[Signature]</i>	1/14/08	11	ORIGINATING DEPARTMENT		
5	FM	<i>[Signature]</i>	1/24/08	DOCKET COORD: _____ COUNCIL LIAISON: _____			
6	AUDITORS	<i>[Signature]</i>	1/29/08	<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: 2/26/08			
7							

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

1. Adopt an ordinance to modify the purpose of the Automated Refuse Container Fund 10509, retroactive to January 1, 2008, 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.

11A. STAFF RECOMMENDATIONS:
Adopt the ordinance.

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): ALL

COMMUNITY AREA(S): ALL

ENVIRONMENTAL IMPACT: The activity is not a "project" and therefore is not subject to CEQA pursuant to State CEQA Guidelines section 15060 (c) (3)

HOUSING IMPACT: NONE

OTHER ISSUES: NONE

EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE ISSUED: _____ REPORT NO: _____
 ATTENTION: Council President and City Council
 ORIGINATING DEPARTMENT: Environmental Services Department
 SUBJECT: Modify Purpose of the Automated Container Fund 10509 to
 Accommodate Replacement Automated Refuse Container
 Program
 COUNCIL DISTRICT(S): All
 CONTACT/PHONE NUMBER: Charles Woolever, Deputy Environmental Services Director,
 (858) 526-2355

REQUESTED ACTION:

1. Adopt an ordinance to modify the purpose of the automated Refuse Container Fund 10509 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.

STAFF RECOMMENDATION: Adopt the Ordinance.

EXECUTIVE SUMMARY:

Ordinance 17763 adopted on May 5, 1992 established Automated Container Fund 10509 for the purpose of funding an automated refuse collection program in the City of San Diego. The fund has been used to purchase automated refuse containers utilized in the collection of refuse by City forces.

On November 20, 2007, the City Council adopted Resolution No. R-303202, which revised the automated refuse container policy to return responsibility to City resident and small business customers to furnish replacement automated refuse containers at their own expense and established a cost recovery fee for replacement automated refuse containers to be charged to those customers who chose to acquire their replacement container from the City. The action authorized the Auditor and Comptroller to deposit the Automated Refuse Container Replacement fees, including corresponding delivery fees, into Fund 10509, the Automated Container Fund, for the purpose of administering the Automated Refuse Container Replacement program. The action also authorized the Auditor and Comptroller to transfer funds from Fund 10509 to the appropriate accounts to offset costs incurred in the General Fund to purchase, deliver, repair and/or replace automated refuse containers and to administer the Automated Refuse Container Replacement program.

The purpose of the existing Automated Container Fund 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.

FISCAL CONSIDERATIONS:

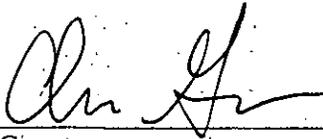
The Automated Refuse Container Fee is anticipated to generate approximately \$500,000 in Fiscal Year 2008 with an effective date of January 1, 2008, and approximately \$1M per fiscal year thereafter, depending upon the failure rate of containers and the number of customers who choose to acquire a replacement container from the City. This action is revenue neutral as the funds reimburse the purchase of additional automated containers and reimburse costs to administer the program.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

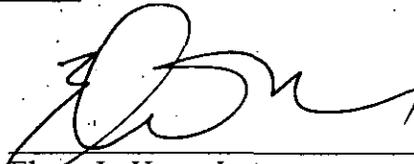
Ordinance 17763 adopted May 5, 1992 established the Automated Container Fund. R-303202 authorized the Auditor and Comptroller to deposit the Automated Refuse Container Replacement fees, including corresponding delivery fees, into Fund 10509, the Automated Container Fund, for the purpose of administering the Automated Container Replacement program. The action also authorized the Comptroller to transfer funds from Fund 10509 to the General Fund to purchase, deliver, repair and/or replace automated refuse containers to administer the Automated Container Replacement Program.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS: N/A



Chris Gonaver
Environmental Services Department



Elmer L. Heap, Jr.
Deputy Chief Operating Officer

(O-92-118)

ORDINANCE NUMBER ~~O-17763~~ (NEW SERIES)

ADOPTED ON MAY 5, 1992

AN ORDINANCE AMENDING ORDINANCE NO. O-17667 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1991-92 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING DOCUMENT NO. OO-17667-1, AS AMENDED AND ADOPTED THEREIN, BY TRANSFERRING THE SUM OF \$523,250 FROM THE EQUIPMENT DIVISION MOTIVE ACQUISITION FUND (33) TO THE GENERAL FUND 100 AND SUBSEQUENTLY TO THE NEWLY CREATED FUND, ENTITLED "AUTOMATED CONTAINER FUND" FOR THE PURPOSE OF FUNDING AN AUTOMATED REFUSE COLLECTION PILOT PROGRAM IN THE CITY OF SAN DIEGO.

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

~~Section 1. That the City Auditor and Comptroller be and he is hereby authorized to establish a new fund, entitled "Automated Container Fund."~~

Section 2. That Ordinance No. O-17667 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 191-2 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," be and the same is hereby amended by amending Document No. OO-17667, as amended and adopted therein, by transferring the sum of \$523,250 from the Equipment Division Motive Acquisition Fund (33) to the General Fund 100 and subsequently to the newly created fund, entitled "Automated Container Fund" for the purpose of funding an automated refuse collection pilot program in The City of San Diego.

Section 3. That the City Auditor and Comptroller be and he is hereby authorized to transfer any remaining monies from the Automated

Container Fund to the General Fund 100 upon advice from the administering department.

Section 4. That the City Auditor and Comptroller be and he is hereby authorized to deposit in the Automated Container Fund interest earned from the fund.

Section 5. That the City Auditor and Comptroller be and he is hereby authorized to increase the estimated revenues and appropriations in the General Fund 100 for the automated refuse collection pilot program.

Section 6. This ordinance shall take effect and be in force immediately upon its adoption after two public hearings, pursuant to the authority contained in Sections 16, 17 and 71 of the Charter of The City of San Diego.

APPROVED: JOHN W. WITT, Attorney

By

Elmer L. Heap, Jr.

Deputy City Attorney

ELH:smm

03/23/92

Aud.Cert.:9200681

Or.Dept:Waste.Mgmt.

O-92-118

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000013

(O-92-6)
ORDINANCE NUMBER O-17667 (NEW SERIES)
ADOPTED ON JULY 23, 1991

AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE
FISCAL YEAR 1991-92 AND APPROPRIATING THE
NECESSARY MONEY TO OPERATE THE CITY OF SAN
DIEGO FOR SAID FISCAL YEAR.

This ordinance was prepared by Financial Management. Since this ordinance contains numerous charts with dollar amounts, a complete copy of the text of this ordinance may be obtained from the City Clerk's office.

APPROVED: JOHN W. WITT, Attorney

By

Jack Katz

Senior Chief Deputy

JK:smm

07/19/92

Or.Dept:Fin.Mgmt.

O-92-6

Form=o.btof

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

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 _____.

ELIZABETH S. MALAND, City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor