



CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street
San José, California 95113
Telephone (408) 535-1260
FAX (408) 292-6207

City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 28761**", the original copy of which is attached hereto, was passed for publication of title on the **17th day of June, 2010**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **3rd day of August, 2010**, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA,
LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **3rd day of September, 2010**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **9th day of August, 2010**.

(SEAL)

LEE PRICE, MMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/rmk

ORDINANCE NO. 28761

**AN ORDINANCE OF THE CITY OF SAN JOSE
REPEALING PART 33 OF CHAPTER 4.80 OF TITLE 4 OF
THE SAN JOSE MUNICIPAL CODE, THE ANTI-TOBACCO
MASTER SETTLEMENT AGREEMENT REVENUE FUND**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Part 33 of Chapter 4.80 of Title 4 of the San José Municipal Code is repealed. The repeal of Part 33 shall take effect as set forth in Section 2 of this Ordinance.

SECTION 2. Effective Dates of Repeal.

- A. The repeal of Section 4.80.1800, "Anti-Tobacco Master Settlement Agreement Revenue Fund Established," shall be effective as of June 30, 2011.
- B. The repeal of Section 4.80.1810, "Source of Moneys," shall be effective upon the effective date of this Ordinance.
- C. The repeal of Section 4.80.1820, "Interest," shall be effective upon the effective date of this Ordinance. Any interest accruing in the Anti-Tobacco Master Settlement Agreement Revenue Fund ("Fund") during Fiscal Year 2010-2011 shall be credited to the General Fund.
- D. The repeal of Section 4.18.1830, "Expenditures," shall be retroactive to July 1, 2010. The City Council hereby ratifies any appropriations within the Fund that occurred during any prior fiscal year and that were not consistent with the provisions of Section 4.18.1830.

SECTION 3. Upon disposition of all current encumbrances in the Fund, and no later than June 30, 2011, all moneys remaining in the Fund will be transferred to the General Fund.

PASSED FOR PUBLICATION of title this 17th day of June, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk