

RESOLUTION NO. 218272 R-77-1935

**APR 27 1977**

WHEREAS, The City of San Diego has agreed, by Council adoption of Resolution 218002 on March 29, 1977, to pledge its full support, including necessary financial assistance, in a constitutional court challenge of the UNEMPLOYMENT COMPENSATION AMENDMENT OF 1976, PUBLIC LAW 94-566, which forces state and local governments to provide unemployment benefits to their employees, thus interfering with integral governmental functions and intergovernmental immunities long recognized under constitutional doctrines; and

WHEREAS, the City Attorney, on April 3, 1977, met with officials of the National Institute of Municipal Law Officers (NIMLO) and other City Attorneys in Washington, D.C., and represented San Diego's commitment to the challenge of P. L. 95-566; and

WHEREAS, as a result of this meeting, the Board of Trustees of NIMLO has been selected as the Board to collect, control and disseminate funds to finance litigation on behalf of cities participating in the challenge to the constitutionality of P. L. 94-566; and

WHEREAS, the City Attorney, as a member of the Board of Trustees of NIMLO, has been advised that San Diego's allocation of financial support to the challenge amounts to \$10,000, NOW, THEREFORE,

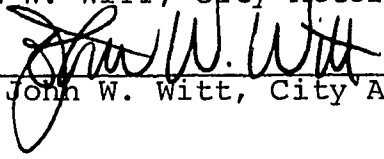
BE IT RESOLVED, by the Council of The City of San Diego,  
as follows:

That the Auditor and Comptroller be and he is hereby  
authorized to transfer within the General Fund 100 the sum  
of TEN THOUSAND DOLLARS (\$10,000) from the Unallocated  
Reserve (53.30) to the Allocated Reserve (53.20) to be used  
solely and exclusively for meeting The City of San Diego's  
share for financial support in challenging the constitutionality  
of the Unemployment Compensation Amendment of 1976, Public  
Law 94-566.

BE IT FURTHER RESOLVED, that the City Attorney is  
hereby authorized to travel to Washington, D.C. whenever  
necessary to fulfill his obligations as a member of the  
Board of Trustees of NIMLO in relation to duties incurred in  
behalf of challenging the Amendment, expenses for said  
travel to be paid out of the Allocated Reserve (53.20).

BE IT FURTHER RESOLVED, that the Auditor and Comptroller  
be and he is hereby authorized to further transfer within  
the General Fund 100 the sum of TWENTY-FOUR HUNDRED DOLLARS  
(\$2,400) from the Unallocated Reserve (53.30) to the Allocated  
Reserve (53.20) to be used solely and exclusively for  
defraying travel expenses of the City Attorney stated  
hereinabove.

APPROVED: JOHN W. WITT, City Attorney

BY   
John W. Witt, City Attorney

JWW:as  
4/18/77  
Orig.Dept.: City Atty.  
Aud. Cert. No. 8500

**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATION OF UNALLOTTED BALANCE**

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 \$ 12,400.00 Fund 100 General Fund (Unallocated Reserve)

Purpose Authorizing the transfer of funds from unallocated reserve to allocated reserve for NIMLO.

W. B. Sage  
Auditor and Comptroller of  
The City of San Diego, Calif.

By Matt Lupo

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CITY CLERK'S OFFICE  
1977 APR 20 AM 8:29  
SAN DIEGO, CALIF.

April 18, 19 77

**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 moneys 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 \$ \_\_\_\_\_

Dated \_\_\_\_\_, 19 \_\_\_\_\_

Auditor and Comptroller of  
The City of San Diego, Calif.

BY \_\_\_\_\_

Job Order

Resolution No.

Project No. \_\_\_\_\_

Fund \_\_\_\_\_ Prog./Elem. \_\_\_\_\_ Object \_\_\_\_\_

Purpose \_\_\_\_\_

Vendor \_\_\_\_\_

**218272**

CERTIFICATE NO. 8500

**APR 27 1977**

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Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_,  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By *Kathleen M. ...* Deputy.

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CITY CLERK'S OFFICE  
1977 APR 20 AM 8 26  
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **218272** Adopted **APR 27 1977**