

O. 79-204
FEB 20 1979

ORDINANCE NO. 12593
(New Series)

AN ORDINANCE RESCINDING EMERGENCY ORDINANCE No. 12384 (NEW SERIES) AND ORDINANCE NO. 12422 (NEW SERIES) WHICH AMENDED ORDINANCE NO. 12360 (NEW SERIES) ENTITLED, "AN ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE CITY OF SAN DIEGO FOR THE FISCAL YEAR 1978-79."

WHEREAS, the City Council adopted Ordinance No. 12360 (New Series) establishing a schedule of compensation for officers and employees of The City of San Diego for the Fiscal Year 1978-79, on May 30, 1978, which included cost of living increases; and

WHEREAS, said salary ordinance was subsequently amended by Emergency Ordinance No. 12384 (New Series) which deleted the salary increases originally provided for, and Ordinance No. 12422 (New Series) which corrected an omission in the Emergency Ordinance; and

WHEREAS, the ordinances amending the salary ordinance were adopted to qualify the City for State relief funds granted pursuant to Senate Bill 154 to meet the fiscal emergency faced by the City due to the passage of Proposition 13; and

WHEREAS, on February 15, 1979, the California Supreme Court rendered a decision entitled Sonoma County Organization of Public Employees, et al. v. County of Sonoma, et al.; and

WHEREAS, the Supreme Court in Sonoma declared it to be unconstitutional for the State of California to require a

municipality to withhold pay increases to qualify for State relief funds and that such a requirement impaired existing contracts and was violative of the home rule provisions of the California Constitution; and

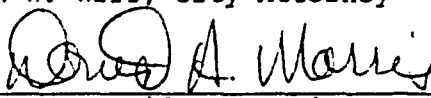
WHEREAS, the Supreme Court in Sonoma further found that through the payment of relief funds, any emergency faced by municipalities through the passage of Proposition 13 was largely alleviated; NOW, THEREFORE,

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

Section 1. That Emergency Ordinance No. 12384 (New Series) adopted June 29, 1978, and Ordinance No. 12422 (New Series) adopted August 21, 1978, which corrects an omission in the Emergency Ordinance, be and the same are hereby rescinded.

Section 2. In accordance with Section 17 of the San Diego City Charter, this ordinance shall take effect immediately upon its passage and adoption by the City Council in that it rescinds an emergency ordinance and one enacted to correct an omission therein, both having been declared invalid by implication as recited above.

APPROVED: JOHN W. WITT, City Attorney

By 
David H. Morris
Deputy City Attorney

DHM:rc:332
2/20/79
Or. Dept.: Manager

Passed and adopted by the Council of The City of San Diego on 2/20/79
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

(Seal)

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By *Barbara Berridge*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on FEB 20 1979, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By *Barbara Berridge*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number 12593	FEB 20 1979
Adopted _____	

XXXXXXXXXX

City of San Diego
12th Floor, City Admin. Bldg.
202 C St.
San Diego, Ca 92101

Att: Barbara Berridge

CERTIFICATE OF PUBLICATION

Amend Salary Ordinance

ORDINANCE NO. 12593

(New Series)

AN ORDINANCE RESCINDING EMERGENCY ORDINANCE NO. 12384 (NEW SERIES) AND ORDINANCE NO. 12422 (NEW SERIES), WHICH AMENDED ORDINANCE NO. 12380 (NEW SERIES) ENTITLED "AN ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE CITY OF SAN DIEGO FOR THE FISCAL YEAR 1978-79."

WHEREAS, the City Council adopted Ordinance No. 12380 (New Series) establishing a schedule of compensation for officers and employees of The City of San Diego for the Fiscal Year 1978-79, on May 30, 1978, which included cost of living increases; and

WHEREAS, said salary ordinance was subsequently amended by Emergency Ordinance No. 12384 (New Series) which deleted the salary increases originally provided for, and Ordinance No. 12422 (New Series) which corrected an omission in the Emergency Ordinance; and

WHEREAS, the ordinances amending the salary ordinance were adopted to qualify the City for State relief funds granted pursuant to Senate Bill 154 to meet the fiscal emergency faced by the City due to the passage of Proposition 13; and

WHEREAS, on February 15, 1979, the California Supreme Court rendered a decision entitled Sonoma County Organisation of Public Employees, et al. v. County of Sonoma, et al.; and

WHEREAS, the Supreme Court in Sonoma declared it to be unconstitutional for the State of California to require a municipality to withhold pay increases to qualify for State relief funds and that such a requirement impaired existing contracts and was violative of the home rule provisions of the California Constitution; and

WHEREAS, the Supreme Court in Sonoma further found that through the payment of relief funds, any emergency faced by municipalities through the passage of Proposition 13 was largely alleviated; NOW, THEREFORE,

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

Section 1. That Emergency Ordinance No. 12384 (New Series) adopted June 29, 1978, and Ordinance No. 12422 (New Series) adopted August 21, 1978, which corrects an omission in the Emergency Ordinance, be and the same are hereby rescinded.

Section 2. In accordance with Section 17 of the San Diego City Charter, this ordinance shall take effect immediately upon its passage and adoption by the City Council in that it rescinds an emergency ordinance and one enacted to correct an omission therein, both having been declared invalid by implication as recited above.

Passed and adopted by the Council of The City of San Diego on February 20, 1979.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California.

By BARBARA BERRIDGE, Deputy.

(SEAL)

Published March 6, 1979

80-3080

Patricia M. Spaulding

I, Patricia M. Spaulding, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1969, Decree No. 14894; and the

ORDINANCE NO. 12593

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

March 6, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 12th day of Mar., 1979

Patricia M. Spaulding
Signature

9 3/4 - '59, 18