

ORDINANCE NO. 12641
(New Series)

MAY 7 1979

AN ORDINANCE AMENDING ORDINANCE NO. 12397 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1978-79 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," BY AMENDING DOCUMENT NO. 764187, AS ADOPTED AND AMENDED THEREIN, BY APPROPRIATING THE SUM OF \$1,418,396 FROM THE GENERAL FUND UNAPPROPRIATED FUND BALANCE TO THE GENERAL FUND UNALLOCATED RESERVE (53.37) TO PROVIDE THE ADDITIONAL FUNDS NECESSARY TO GRANT THE SALARY INCREASES TO CITY EMPLOYEES AUTHORIZED BY ORDINANCE NO. 12360 (NEW SERIES); AUTHORIZING THE CITY AUDITOR AND COMPTROLLER TO TRANSFER THE FUNDS NECESSARY TO THE BUDGETS OF THE VARIOUS CITY DEPARTMENTS FOR THE PURPOSE OF GRANTING RETROACTIVE SALARY INCREASES TO CITY EMPLOYEES; AND AUTHORIZING THE CITY AUDITOR AND COMPTROLLER TO INCREASE APPROPRIATIONS OF THE EMPLOYEE PENSION TAX FUND TO PROVIDE THE FUNDS NECESSARY FOR THE RETIREMENT AND SOCIAL SECURITY COSTS INCURRED AS A RESULT OF THE RETROACTIVE SALARY INCREASES.

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; and

WHEREAS, the City Council adopted Ordinance No. 12593 (New Series) on February 20, 1979, rescinding Emergency Ordinance Nos. 12384 (New Series) and 12422 (New Series) thereby reinstating Ordinance No. 12360 (New Series), which action required the budgets of the City departments to be increased by the cost of living increases; NOW, THEREFORE,

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

Section 1. That Ordinance No. 12397 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET

FOR FISCAL YEAR 1978-79 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," be and the same is hereby further amended by amending Document No. 764187, as adopted and amended therein, by appropriating the sum of \$1,418,396 from the General Fund Unappropriated Fund Balance to the General Fund Unallocated Reserve (53.37) to provide the additional funds necessary to grant the salary increases to City employees authorized by Ordinance No. 12360 (New Series).

Section 2. That the City Auditor and Comptroller be and he is hereby authorized and directed to transfer the funds necessary to the budgets of the various City departments for the purpose of granting retroactive salary increases to City employees.

Section 3. That the City Auditor and Comptroller be and he is hereby authorized and directed to increase appropriations of the Employee Pension Tax Fund to provide the funds necessary for the Retirement and Social Security costs incurred as a result of the retroactive salary increases.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its adoption.

APPROVED: JOHN W. WITT, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:l20
4/11/79
Or. Dept.: Financial Management
Aud. Cert. #79593

12641

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 \$ 1,418,396.00

Fund General Fund Unappropriated Fund Balance

Purpose Authorizing the transfer of funds to the General Fund Unallocated Reserve(5337) to provide for a cost of living adjustment for City employees-retroactive salaries.



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

Date April 11 19 79

By Steve Hogan

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 _____

12641

MAY 7 1979

CERTIFICATE NO. 79593

MAY 7 1979

Passed and adopted by the Council of The City of San Diego on _____, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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"/>
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

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rita Andrews, 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

APR 23 1979

, and on

MAY 7 1979

~~I FURTHER CERTIFY that said ordinance was read in full prior to its passage.~~

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 Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

12641

Adopted

MAY 7 1979

ATTORNEY'S

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

Attn: Rita Andrews

RECEIVED
CITY CLERK'S OFFICE
1979 JUN -1 PM 4:25
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

RETROACTIVE SALARY INCREASES

ORDINANCE NO. 12641

(New Series)

AN ORDINANCE AMENDING ORDINANCE NO. 12397 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1978-79 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," BY AMENDING DOCUMENT NO. 164187, AS ADOPTED AND AMENDED THEREIN, BY APPROPRIATING THE SUM OF \$1,418,396 FROM THE GENERAL FUND UNAPPORTIONED FUND BALANCE TO THE GENERAL FUND UNALLOCATED RESERVE (\$59,371) TO PROVIDE THE ADDITIONAL FUNDS NECESSARY TO GRANT THE SALARY INCREASES TO CITY EMPLOYEES AUTHORIZED BY ORDINANCE NO. 12380 (NEW SERIES); AUTHORIZING THE CITY AUDITOR AND COMPTROLLER TO TRANSFER THE FUNDS NECESSARY TO THE BUDGETS OF THE VARIOUS CITY DEPARTMENTS FOR THE PURPOSE OF GRANTING RETROACTIVE SALARY INCREASES TO CITY EMPLOYEES; AND AUTHORIZING THE CITY AUDITOR AND COMPTROLLER TO INCREASE APPROPRIATIONS OF THE EMPLOYEE PENSION TAX FUND TO PROVIDE THE FUNDS NECESSARY FOR THE RETIREMENT AND SOCIAL SECURITY COSTS INCURRED AS A RESULT OF THE RETROACTIVE SALARY INCREASES.

This ordinance appropriates the sum of \$1,418,396 from the General Fund Unappropriated Fund Balance to provide the additional funds necessary to grant the salary increases to City employees.

A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

Passed and adopted by the Council of The City of San Diego on May 7, 1979, by the following vote:

YEAS: Mitchell, O'Connor, Lowery, Williams, Schausubelt, Gade, Stirling, Killia, Mayor Wilson.

NAYS: None.

ABSENT: None.

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 RITA ANDREWS, Deputy.

(SEAL)

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 April 23, 1979, and on May 7, 1979.

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.

By RITA ANDREWS, Deputy.

(SEAL)

Published May 28, 1979

60-5885

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, 1979, Decree No. 14894; and the

ORDINANCE NO. 12641

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:

May 22, 1979

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

Dated at San Diego, California this 25th day of May, 1979.

Patricia M. Spaulding
(Signature)

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