

ORDINANCE NO. O- 15204
(New Series)

FEB 25 1980
(O. 80-209)
REVISED

AN ORDINANCE AMENDING ORDINANCE NO. 12700 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1979-80 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," BY AMENDING DOCUMENT NO. 766809, AS ADOPTED AND AMENDED THEREIN, BY ADDING 1.00 DEPUTY CITY ATTORNEY AND 1.00 LITIGATION INVESTIGATOR POSITION TO THE CITY ATTORNEY'S DEPARTMENT (0450); AUTHORIZING AND DIRECTING THE CITY AUDITOR AND COMPTROLLER TO TRANSFER WITHIN THE GENERAL FUND 100 THE SUM OF \$27,178 FROM THE UNALLOCATED RESERVE (605) TO THE CITY ATTORNEY'S DEPARTMENT (0450) FOR ADDITIONAL PERSONAL AND NONPERSONAL EXPENSE.

WHEREAS, the City Attorney's Office was reduced in strength this past fiscal year by one (1) Deputy City Attorney in order to comply with budgetary requests; and

WHEREAS, the department, at that time, was understaffed in accordance with work load standards by one (1) Litigation Investigator; and

WHEREAS, the reduction, at that time, was effected in the Litigation division due to then existing work load priority assignments; and

WHEREAS, it later became necessary to move one deputy from the Consumer Protection unit to Litigation to accommodate a very heavy and potentially expensive civil case load; and

WHEREAS, it has since become necessary to return that position to Consumer Protection because of an inordinate growth in consumerism and demand upon the office; and

WHEREAS, that transfer has impacted adversely the capability of the Litigation division, particularly in light of an exceptional growth in litigation against the City; and

WHEREAS, two separate suits and legal situations occurring within the past year have developed to the point where the full time assignment and attention of the Deputy City Attorneys involved is required, thereby making very difficult the application of appropriate effort to other but smaller cases against the City; and

WHEREAS, such assignments further exacerbate the need for an additional Deputy City Attorney and Investigator, albeit not as a direct result thereof: the deputy to undertake the exceptionally high work load being experienced by the department; the investigator to work in the personal injury/false arrest area in support of the new deputy; and

WHEREAS, this request for additional legal assistance will enable the City Attorney's Office to oppose many of the nuisance claims and lawsuits rather than pay small amounts to settle and thereby reduce work load since such practice establishes indefensible precedents; NOW, THEREFORE,

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

Section 1. That Ordinance No. 12700 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1979-80 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 the fiscal allocations and personnel authorization for the City Attorney's Department (0450) to include the transfer of the sum of \$27,178 from the General Fund 100,

Unallocated Reserve (605) to said City Attorney's Department for personal services and nonpersonal services in accordance with the proposed budget allocation attached hereto as Attachment A.

Section 2. That Ordinance No. 12700 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1979-80 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 that portion of the Position and Salary Schedule for the City Attorney's Department (0450) to reflect and authorize the addition of one (1.0) Deputy City Attorney and one (1) Litigation Investigator to Program 0454.

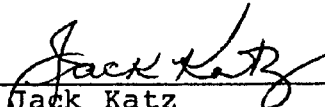
Section 3. That the City Auditor and Comptroller be and he is hereby authorized and directed to transfer within the General Fund 100 the sum of \$27,178 from the Unallocated Reserve (605) to the above-mentioned department and activities for personal services and nonpersonal services in accordance with the proposed budgetary allocation attached hereto as Attachment A.

Section 4. This ordinance shall take effect and be in force immediately upon its adoption after two (2) 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, City Attorney

JK:lco:120
1/16/80
2/8/80 REV.
Or.Dept.:Attorney
Aud.Cert.:80485

By



Jack Katz
Chief Deputy

ATTACHMENT A

Proposed Budget Schedule

<u>Program</u>	<u>Personal Services</u>	<u>Annual Avg. Salary Incl. Fringe</u>	<u>Pro Rata (5 months)</u>
(0454)	1.0 Deputy City Attorney	\$33,767	\$14,069.58
(0454)	1.0 Litigation Investigator	27,861	<u>11,608.75</u>
	TOTAL PERSONAL		\$25,678.33
	<u>Non Personal</u>	<u>Annual Cost</u>	<u>Pro Rata</u>
	Equipment Outlay	\$ 1,500	\$ 1,500.00
	TOTAL NPE		<u>\$ 1,500.00</u>
	TOTAL REQUIREMENT		<u>\$27,178.33</u>

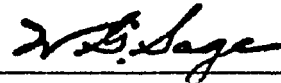
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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.

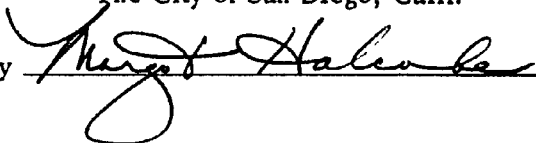
Amount \$ 27,178.00 Fund Unallocated Reserve

Purpose Augmenting the City Attorney's staff for purposes of defending current litigation



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

Date January 17, 19 80

By 

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 _____

* FUND/ DEPT.	ORG. NO.	ACCOUNT	JOB ORDER	BENEFITING DEPARTMENT
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PURPOSE _____

VENDOR _____

* USE FUND NO. ONLY WHEN USING GEN. LEDGER & REV. ACCTS., OTHERWISE USE DEPT. NO.

FEB 25 1980

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"/>
Bill Cleator	<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"/>
Mike Gotch	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Barbara Berridge*, 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

FEB 11 1980

FEB 25 1980

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final 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 *Barbara Berridge*, Deputy.

SAN DIEGO CITY

FEB 25 1980

Office of the City Clerk, San Diego, California	
Ordinance Number	0 - 15204
Adopted	FEB 25 1980

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1980 FEB 13 PM 10:42
SAN DIEGO, CALIF.

SAN DIEGO, CITY OF
12th Floor
City Admin. Bldg.
202 C St.
San Diego, CA 92101
Attn: Barbara Berridge

IN THE MATTER OF
"AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE
FISCAL YEAR 1979-80 AND APPROPRIATING THE NECESSARY
MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID
FISCAL YEAR,"

NO.

I, Camille Simpson, 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, 1909, Decree No. 14894; and the

ORDINANCE NO. 0-15204
(New Series)

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 10, 1980

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

Dated at San Diego, California this 10th day of Mar., 1980

Camille Simpson
(Signature)

6 1/2" - 843.35

ORDINANCE NO. 0-15204
(New Series)
AN ORDINANCE AMENDING ORDINANCE NO. 12700 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1979-80 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," BY AMENDING DOCUMENT NO. 76809, AS ADOPTED AND AMENDED THEREIN, BY ADDING 1.00 DEPUTY CITY ATTORNEY AND 1.00 LITIGATION INVESTIGATOR POSITION TO THE CITY ATTORNEY'S DEPARTMENT (0450); AUTHORIZING AND DIRECTING THE CITY AUDITOR AND COMPTROLLER TO TRANSFER WITHIN THE GENERAL FUND 100 THE SUM OF \$27,178 FROM THE UNALLOCATED RESERVE (605) TO THE CITY ATTORNEY'S DEPARTMENT (0450) FOR ADDITIONAL PERSONAL AND NONPERSONAL EXPENSE.
Amends the annual appropriation ordinance for fiscal year 1979-80 to add one Deputy City Attorney and one Litigation Investigator position to the City Attorney's Department; transfers the sum of \$27,178 from the Unallocated Reserve to the City Attorney's Department for personal services and related nonpersonal expenses, said sum representing personnel costs for the last five months of fiscal year 1979-80.
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.
Introduced on February 11, 1980.
Passed and adopted by the Council of The City of San Diego on February 20, 1980.
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 BARBARA BERRIDGE, Deputy.
Published March 10, 1980