

ORDINANCE NO. O-15401
(New Series)

(O. 81-107)

DEC 8 1980

AN ORDINANCE AMENDING ORDINANCE NO. 15298 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1980-81 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING DOCUMENT NO. 00-15298-1, AS AMENDED AND ADOPTED THEREIN, BY ADDING TO THE PERSONNEL AUTHORIZATION OF THE CITY ATTORNEY'S DEPARTMENT (045) ONE (1) DEPUTY CITY ATTORNEY TO THE MUNICIPAL LAW PROGRAM (04520) TO SERVE AS AN ADDITIONAL POLICE LEGAL ADVISOR; TRANSFERRING THE SUM OF \$17,215 WITHIN THE GENERAL FUND 100 FROM THE UNALLOCATED RESERVE (605) TO THE CITY ATTORNEY'S DEPARTMENT (04520) FOR PERSONAL SERVICES AND OVERHEAD FOR THE ABOVE POSITION FOR THE SECOND HALF OF FISCAL YEAR 1981.

WHEREAS, the Police Legal Advisor is responsible for advising the Police Department on all facets of law and serves essentially as in-house legal counsel for the Police Department; and

WHEREAS, the demands of the position have increased tremendously over the past several years due to many changes in the law; and

WHEREAS, to accommodate the work load, an additional Deputy City Attorney had been assigned on a part-time basis from the Criminal Division; and

WHEREAS, that second advisor had to be withdrawn due to conflict of interest problems and the concurrent increased demands upon the Criminal Division; and

WHEREAS, the demands upon the Police Legal Advisor are caused by a significant increase in administrative hearings, licensing appeals, lawsuits involving alleged violations of the Police

Officers' Bill of Rights and Civil Service hearings resulting from disciplinary actions, all of which require the services of the Police Legal Advisor; and

WHEREAS, those activities have resulted in the unavailability to the department of the Police Legal Advisor much of the time, to the detriment of the Police Department and the City; and

WHEREAS, the Police Chief and City Manager have discussed this situation with the City Attorney and concur in the necessity for additional legal assistance on a full-time basis to alleviate the serious staffing situation that has developed; and

WHEREAS, this request for an additional Police Legal Advisor is for the second half of fiscal year 1981, during which time an analysis can be conducted on the feasibility of continuing the staff assistance for future years; NOW, THEREFORE,

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

Section 1. That Ordinance No. 15298 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1980-81 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. 00-15298-1, as adopted and amended therein, by adding to the personnel authorization schedule of Department 045, City Attorney's Department, one (1) Deputy City Attorney for assignment to Municipal Law Program (04520).

Section 2. That the Auditor and Comptroller be and he is hereby authorized to transfer the sum of \$17,215 within the General Fund 100 from the Unallocated Reserve (605) to the City Attorney's Department (045) to be used solely and exclusively for Personal Services and related administrative overhead expenses for the above position for the second half of fiscal year 1981.

Section 3. This ordinance shall take effect and be in force immediately upon its passage 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

By Jack Katz
Jack Katz
Chief Deputy City Attorney

JK:lco:016
10/31/80
Or.Dept.:Atty
Aud.Cert.#81331

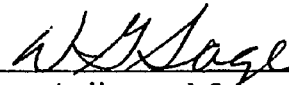
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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.

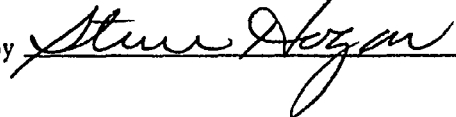
Amount \$ 17,215.00 Fund GENERAL FUND UNALLOCATED RESERVE

Purpose Authorize the expenditure of funds to add one Deputy City Attorney to the Municipal Law Program as a Police Legal Advisor.



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

Date October 27, 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

PURPOSE _____

VENDOR _____

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

DEC 8 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harry Stirling	<input 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"/>

Vacant

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

NOV 17 1980

DEC 8 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.

Office of the City Clerk, San Diego, California

Ordinance **0 - 15401** DEC 8 1980
 Number Adopted

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1981 JAN -2 AM 10:10
SAN DIEGO, CALIF.

San Diego, City of
202 C St., 12th floor
San Diego, CA 92101
ATTN: Barbara Berridge

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING ORDINANCE NO. 15298 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR ETC.

0-15401 N.S.

Camille Simpson

I, _____, 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. 0-15401 (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:

December 22, 1980

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

Dated at San Diego, California this 22nd day of Dec., 1980

Camille Simpson

(Signature)

page 1 of 2

ORDINANCE NO. 0-15401
(New Series)
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WHEREAS, the Police Legal Advisor is responsible for advising the Police Department on all facets of law and serves essentially as in-house legal counsel for the Police Department; and
WHEREAS, the demands of the position have increased tremendously over the past several years due to many changes in the law; and
WHEREAS, to accommodate the work load, an additional Deputy City Attorney had been assigned on a part-time basis from the Criminal Division; and
WHEREAS, that second advisor had to be withdrawn due to a shortage of interest problems and the concurrent increased demands upon the Criminal Division; and
WHEREAS, the demands upon the Police Legal Advisor are caused by a significant increase in administrative hearings, hearing appeals, lawsuits involving alleged violations of the Police Officers' Bill of Rights and Civil Service hearings resulting from disciplinary actions, all of which require the services of the Police Legal Advisor; and

7 1/4" x 2 x 7.33 = 106.29

...committees have resulted in the unavailability of the Police Legal Advisor within the Department of the Police Department and the City; and the Police Chief and City Manager have discussed this situation with the City Attorney and concur in the request for additional legal assistance on a full-time basis to alleviate the serious staffing situation that has developed; and WHEREAS, this request for an additional Police Legal Advisor for the second half of fiscal year 1981, during which time staff assistance can be conducted on the feasibility of continuing the staff assistance for future years; NOW THEREFORE BE IT ORDAINED, by the Council of The City of San Diego as follows:

Section 1. That Ordinance No. 15298 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1980-81 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. 00-15298-1, as adopted and amended therein, by adding to the personnel authorization schedule of Department 045, City Attorney's Department, one (1) Deputy City Attorney for assignment to Municipal Law Program (04520).

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Section 3. This ordinance shall take effect and be in force immediately upon its passage 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.

Introduced on November 17, 1980.
Passed and adopted by the Council of The City of San Diego on December 8, 1980.

AUTHENTICATED BY:
PETE WILSON,
Mayor of The City of San Diego, California
ARLES G. ABDELNOUR,
Clerk of The City of San Diego, California
BARBARA BERFIDGE, Deputy
Clerk
December 22, 1980

80-3343