

ORDINANCE NUMBER O- 19745 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 13 2008

AN ORDINANCE AMENDING ORDINANCE NO. O-19652 (NEW SERIES) ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 2008 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AUTHORIZING THE APPROPRIATION AND TRANSFER OF \$4,500,000 FROM THE GENERAL FUND UNALLOCATED RESERVE TO THE PUBLIC LIABILITY FUND FOR THE PURPOSES OF PAYING COSTS RESULTING FROM DAMAGE CLAIMS AND LAWSUITS AGAINST THE CITY.

WHEREAS, on July 30, 2007, the City Council adopted Ordinance No. O-19652 [Appropriation Ordinance]; and

WHEREAS, the Public Liability Fund is used to pay costs resulting from damage claims and lawsuits against the City; and

WHEREAS, the funds budgeted in the Public Liability Fund have been depleted and there are insufficient funds to meet future obligations through the end of the Fiscal Year 2008; and

WHEREAS, it is projected that an additional \$4,500,000 will be required for various claims related expenses incurred in Fiscal Year 2008; and

WHEREAS, an amendment to the Appropriation Ordinance is necessary to provide additional funds for the Public Liability Fund; NOW, THEREFORE,

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

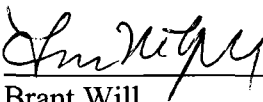
Section 1. That the Appropriation Ordinance is hereby amended to appropriate \$4,500,000 from the General Fund Unallocated Reserve to Fund 100, Dept. 601, Citywide Program Expenditures (Org. 2900).

Section 2. That the Auditor and Comptroller is authorized to transfer \$4,500,000 from Fund 100, Dept. 601 Citywide Program Expenditures (Org. 2900) to the Public Liability Fund 81140.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. This ordinance is declared to take effect and be in force immediately upon its final passage after two public hearings pursuant to the authority contained in sections 71, 275 and 295 of the Charter of the City of San Diego.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
For Brant Will  
Deputy City Attorney

BCWjdf  
04/15/08  
Or.Dept:Risk Management  
O-2008-139

I hereby certify that the following Ordinance was passed by the Council of the City of San Diego, at its meeting of MAY 5 2008.

ELIZABETH S. MALAND  
City Clerk

By *Kara Richardson*  
Deputy City Clerk

Approved: 5.13.08  
(date)

*JJS*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

**The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**  
ORIGINATING

AC 2800726  
DEPT: \_\_\_\_\_  
NO.: 84

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: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
TOTAL AMOUNT											

FUND OVERRIDE

**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 money 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: \$4,500,000.00

Vendor: N/A

Purpose: Amend the FY 2008 Budget Ordinance No. O-19652 to appropriate \$4,500,000 from the Unallocated Reserves to Fund 100 Dept 601, Citywide Program Expenditures. Authorize the City Comptroller to transfer same amount from Fund 100, Dept 601 Citywide Program Expenditures to the Public Liability Fund (81140).

Date: April 14, 2008 By: *Pam Dillert* 4/14/08  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
001	0	100			9544						\$4,500,000.00
TOTAL AMOUNT											\$4,500,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

*0-19735*

**MAY 05 2008**

AC 2800726