

ORDINANCE NUMBER O- 19832 (NEW SERIES)

DATE OF FINAL PASSAGE FEB 03 2009

AN ORDINANCE AMENDING ORDINANCE NO. O-19774 (NEW SERIES) ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 2009 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR", AS AMENDED, AUTHORIZING APPROPRIATIONS TO REINSTATE TWO EMPLOYEE POSITIONS IN THE PARK AND RECREATION DEPARTMENT AND THREE EMPLOYEE POSITIONS IN THE GENERAL SERVICES DEPARTMENT, FACILITIES DIVISION.

WHEREAS, on July 28, 2008, the City Council adopted Ordinance No. O-19774 entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 2009 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" [Appropriation Ordinance]; and

WHEREAS, on December 9, 2008, as part of cost saving measures, the City Council adopted Ordinance No. O-19822, amending the Appropriation Ordinance, and reducing the budget of the Park and Recreation Department of the City, by removing the fire rings at City beaches and bays and eliminating two Full-Time Employee [FTE] positions, and reducing the budget of the City's General Services Department, Facilities Division, by eliminating eight FTE positions including three FTE painter positions; and

WHEREAS, later in December 2008, an Anonymous Fund at The San Diego Foundation donated to the City of San Diego a total gift of \$259,500 to reinstate and fund for a period of 18 months the fire pit program and the two employee positions eliminated by O-19822, which donation has been accepted and deposited into a special interest-bearing fund (Fund 10329); and

WHEREAS, the Mayor, through the Chief Operating Officer, recommends the City Council authorize the City Comptroller to appropriate, transfer and expend adequate money from Fund 10329 to the General Fund to reinstate and fund the fire pit program including two FTE employee positions in the Park and Recreation Department through Fiscal Year 2009, a cost of \$86,525; and

WHEREAS, the Mayor, through the Chief Operating Officer, pledged to return to the Council in January 2009 after locating funding to restore the three FTE painter positions eliminated by O-19822; and

WHEREAS, the Mayor, through the Chief Operating Officer, has identified various funding sources to permit reinstatement of the three FTE painter positions in the General Services Department, Facilities Division, through Fiscal Year 2009 at a cost of \$120,600; and

WHEREAS, the Mayor, through the Chief Operating Officer, recommends that \$95,600 of Transient Occupancy Tax [TOT] funds located in the Library System Improvement Fund (Fund 102216) be returned to the TOT Fund (Fund 10220) and then to the General Fund to be used for General Fund promotional activities; and

WHEREAS, the Mayor, through the Chief Operating Officer, recommends that \$95,600 of other moneys be expended from the General Fund (Fund 100) for the partial cost of the three FTE painter positions; and

WHEREAS, the Mayor, through the Chief Operating Officer, recommends that the remainder of the \$120,600 cost of the three FTE painter positions be funded by transfer of \$25,000 from Fund 63094, Citywide Beverage Vending Machine revenues, to the General Fund (Fund 100); and

WHEREAS, an amendment to the Appropriation Ordinance is necessary to authorize these appropriations, transfers and expenditures to reinstate these positions; and

WHEREAS, the Mayor has no veto power over this ordinance pursuant to Section under 280(a)(4) of the Charter of the City of San Diego; NOW, THEREFORE,

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

Section 1. That the City Comptroller is authorized to appropriate, transfer, and expend \$86,525 in the Park and Recreation Department (Department 443), General Fund (Fund 100) from revenues transferred from Fund 10329, to reinstate and fund the fire pit program including two FTE employee positions from January through June in Fiscal Year 2009.

Section 2. That the City Comptroller is authorized to appropriate, transfer, and expend \$120,600 in the General Services Department, Facilities Division (Department 532), from General Fund (Fund 100) revenues, which includes \$25,000 transferred from Fund 63094, to reinstate and fund three FTE painter positions (JC 1635) in Fiscal Year 2009.

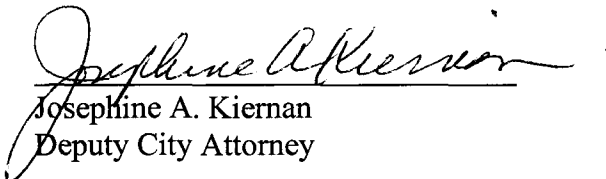
Section 3. That the City Comptroller is authorized to appropriate, transfer and expend \$95,600 of unused TOT distributions in the Library System Improvement Fund (Fund 102216) to return to the TOT Fund (Fund 10220); and to appropriate and expend \$95,600 in the TOT Fund (Fund 10220) to support General Fund promotional activities; and to budget \$95,600 as revenue in the General Fund (Fund 100).

Section 4. That the City Comptroller is authorized to make all reimbursements, transfers, and adjustments necessary to reinstate the three FTE painter positions in the General Services Department, Facilities Division, and the two FTE positions in the Park and Recreation Department to maintain the City fire pit program.

Section 5. 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 6. This ordinance is declared to take effect and be in force immediately upon its passage after two (2) public hearings pursuant to the authority contained in sections 71, 275, and 295 of the Charter of the City of San Diego.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Josephine A. Kiernan
Deputy City Attorney

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01/22/09
Or.Dept:Fin. Mgmt.
O-2009-94