

ORDINANCE NUMBER O- **19869** (NEW SERIES)

DATE OF FINAL PASSAGE **JUN 02 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," BY APPROVING THE FISCAL YEAR 2009 YEAR-END BUDGET ADJUSTMENTS AND ACCEPTING THE MAYOR'S REPORT ON FISCAL YEAR 2009 YEAR-END BUDGET ADJUSTMENTS

WHEREAS, on July 28, 2008, the City Council adopted Ordinance No. O-19774 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, the Appropriation Ordinance was modified in Ordinances O-18822 and O-19832 in December 2008 and February 2009 to reduce the General Fund budget due to the significant projected revenue deficit, as detailed in the Mayor's Report on Fiscal Year 2009 Budget Amendment No. 08-166; and

WHEREAS, the funds appropriated in the Appropriation Ordinance require modifications to fund the operations of the City through the end of Fiscal Year 2009, as detailed in the Mayor's Report on Fiscal Year 2009 Year-End Budget Monitoring Report No. 09-058, issued May 1, 2009, presented to the City's Budget and Finance Committee on May 8, 2009 [Mayor's Report] and an Addendum dated May 18, 2009; and

WHEREAS, an amendment to the Appropriation Ordinance is necessary to adjust the budgets of various City departments; and

WHEREAS, pursuant to State of California Government Code Section 50050-50056, unclaimed funds in the treasury of the City of San Diego for over three years become property of the City after proper notification; and

WHEREAS, notice was published in the City's official newspaper, San Diego Daily Transcript, on March 26, 2009 and April 2, 2009 advertising all items from December 30, 2005 and prior that are/were eligible for escheatment; and

WHEREAS, the current balance of eligible unclaimed funds that meet the criteria is \$0.5 million; and

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

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

Section 1. That the Mayor's Report is hereby accepted.

Section 2. That the Appropriation Ordinance is hereby amended to authorize the City

Comptroller to:

- a. Reduce General Fund (100) expenditure appropriations and revenue budget by \$2,605,000, as follows:
  - i. Increase Fire-Rescue Department (120) expenditure appropriations by up to \$4,250,000 with an equal increase in revenue budget,
  - ii. Increase City Auditor (51) expenditure appropriations by up to \$1,000,000,
  - iii. Increase City Attorney Department (45) expenditure appropriations by up to \$256,000,

- iv. Increase Development Services Department, Neighborhood Code Compliance Division (75) expenditure appropriations by up to \$174,000 with an equal increase in revenue budget,
- v. Increase Real Estate Assets Department (70) expenditure appropriations by up to \$17,000,
- vi. Reduce Police Department (110) expenditure appropriations by \$2,300,000 with an equal reduction in revenue budget,
- vii. Reduce Engineering and Capital Projects Department (various) expenditure appropriations by \$3,247,000 with an equal reduction in revenue budget,
- viii. Reduce City Comptroller Department (50) expenditure appropriations by \$741,000,
- ix. Reduce Environmental Services Department (various) expenditure appropriations by \$595,000,
- x. Reduce Storm Water Department (533) expenditure appropriations by \$492,000,
- xi. Reduce Personnel Department (60) expenditure appropriations by \$480,000,
- xii. Reduce City Treasurer Department (52) expenditure appropriations by \$447,000 with an equal reduction in revenue budget,
- xiii. Reduce Major General Fund Revenues (1) revenue budget by \$1,035,000;
- b. Transfer terminal leave appropriations from Council Administration to the City Council Districts in the amounts listed in Table 13: FY 2009 Year-End Appropriation Adjustments within the General Fund (100);

- c. Transfer fringe appropriations from Citywide Program Expenditures to other General Fund (100) departments as necessary, to include the amounts listed in Table 13: FY 2009 Year-End Appropriation Adjustments;
- d. Transfer available appropriations within the General Fund (100) from Office of Ethics and Integrity (230) and Public Safety (270) to City Planning and Development (250), Community Services (290), Customer Services (890) and Human Resources (61) as necessary;
- e. Transfer appropriations between General Fund (100) departments as necessary where the net transfer does not result in an increase to either department's current budget;
- f. Transfer Council Districts 1 through 8 (General Fund 100) available budget to the respective Infrastructure Improvement Fund and increase the appropriations of the Infrastructure Improvement Fund for purposes identified by the individual Council Districts;
- g. Transfer available funds from the New and Expanded Library Operation and Maintenance Fund (10180) to the General Fund (100);
- h. Increase Central Stores Internal Service Fund (50010) expenditure appropriations by up to \$4,865,000 from an equal amount of additional revenues;
- i. Increase Police Decentralization Fund (10355) expenditure appropriations by \$2,100,000 from an equal amount of additional revenues;
- j. Increase Zoological Exhibits Fund (10222) appropriations from available fund balance;
- k. Increase appropriations from appropriate available sources for any additional, unforeseen needs and to make any additional appropriation adjustments and fund

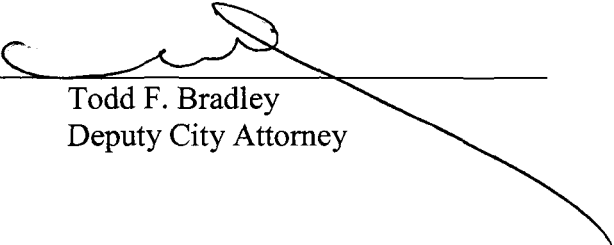
transfers that may be necessary to reconcile revenues to expenditures not to exceed two percent of each department's budget and as the changes are made the Mayor's office shall advise and consult with the Independent Budget Analyst's Office as needed;

- l. Remove \$12,638,973 of TransNet Extension Commercial Paper (Fund 30313) appropriations in the Capital Improvements Program in the projects and amounts listed in the Mayors Report at Table 14: FY 2009 TransNet Extension Commercial Paper;
- m. Transfer unclaimed funds from the Deposit Trust Fund (63021) to the General Fund (100).

Section 3. That a full reading of this ordinance is dispensed with prior to passage, since a written copy was made 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 passage after two (2) public hearings pursuant to the authority contained in Section 71, 275, and 295 of the Charter of the City of San Diego.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Todd F. Bradley  
Deputy City Attorney

TFB;jdf  
05/12/09  
05/18/09.COR.COPY  
05/27/09.COR.COPY.2  
Or.Dept:FM  
O-2009-142