

1 [Authorizing Controller to eliminate positions of laid off employees from the budget in order to  
 2 expedite offers of Early Retirement Benefits and mitigate the effect of layoffs.]

3 **Ordinance to effect a supplemental change to the budget by directing Department**  
 4 **Heads to certify positions eliminated as a result of budget constraints and authorizing**  
 5 **the Controller to identify the date of expiration of funding in the budget for such**  
 6 **positions in order to expedite offers of Early Retirement Benefits and mitigate the effect**  
 7 **of layoffs.**

8 Note: Additions are single-underline italics Times New Roman;  
 9 deletions are ~~strikethrough italics Times New Roman~~.  
 10 Board amendment additions are double underlined.  
 11 Board amendment deletions are ~~strikethrough normal~~.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Findings: (1) Certain tax measures on the November 2004 ballot were not enacted  
 14 by the voters; (2) Because the tax measures were not enacted by the voters, there are City services or  
 15 functions that will be terminated or reduced during the fiscal year because of budget constraints; (3)  
 16 There will be additional layoffs of City employees because of the termination or reduction of City  
 17 services or functions; (4) The voters enacted a program of Early Retirement Benefits Targeted To  
 18 Mitigate Layoffs in Charter Section A8.401 et seq; (5, Charter Section A8.401 requires that positions  
 19 be eliminated in the budget for persons in those classifications to be eligible for Early Retirement  
 20 Benefits; and (6) the City wishes to expedite the offer of Early Retirement Benefits to eligible City  
 21 employees in order to ensure the retention or return of other City employees to City employment.

22 Section 2. Each City Department Head is directed to certify to the Controller those services or  
 23 functions that have been eliminated or reduced by the Department during fiscal year 2004-2005 as a  
 24 result of budget constraints and the positions that the Department has determined to eliminate as a  
 25 result of those budget constraints.

\*\*Supervisor Elsbernd\*\*

BOARD OF SUPERVISORS

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1           Section 3. Based on the Department Head's certification, the Controller will determine the sum  
2 which would have been needed to fund the eliminated positions for the balance of the fiscal year and  
3 will reduce the Department's appropriations by that amount. The Controller will certify to the Human  
4 Resources Director those positions for which funding is no longer available, and the date upon which  
5 funding expires. The Clerk of the Board, the Mayor's Office, and the affected department(s) shall be  
6 immediately notified of the Controller's certification.

7           Section 4. The Director of the Department of Human Resources will assure that no  
8 appointments are made to positions for which funding is no longer available, as certified by the  
9 Controller.

10           Section 5. This ordinance shall constitute a supplemental change to the budget within the  
11 meaning of Charter Section A8.401-4.

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13  
14 APPROVED AS TO FORM:  
15 DENNIS J. HERRERA, City Attorney

16 By: \_\_\_\_\_  
17       ATTORNEY'S NAME  
18       Deputy City Attorney