

1 [Appropriating \$2,809,000 of General Fund Reserve - Fourth Street Bridge Project Litigation
2 Expenses in FY2010-2011]

3 **Ordinance appropriating \$2,809,000 from the General Fund Reserve to the Department**
4 **of Public Works for litigation expenses related to the Santa Clara Superior Court Case**
5 **between Mitchell Engineering/Obayashi Corporation v. City and County of San**
6 **Francisco for the Fourth Street Bridge Project in FY2010-2011.**

7
8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. The sources of funding outlined below are herein appropriated to reflect the
10 funding available for Fiscal Year 2010-2011.

11
12 **SOURCES Appropriation**

| Fund | Index Code | Subobject | Description | Amount |
|------------------------------------|--------------|-----------|--------------|--------------------|
| 1G AGF AAA | *CON1GAGFAAA | 098GR | General Fund | \$2,809,000 |
| GF-Non-Project-Controlled | | | Reserve | |
| Total SOURCES Appropriation | | | | \$2,809,000 |

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18 Section 2. The uses of funding outlined below are herein appropriated in Subobject
19 06700 (Buildings, Structures, and Improvement Project-Budget), and reflects the projected
20 uses of funding to support the Department of Public Works' litigation expenses related to the
21 Santa Clara Superior Court Case between Mitchell Engineering/Obayashi Corporation v. City
22 and County of San Francisco for the Fourth Street Bridge Project in Fiscal Year 2010-2011.
23 Of this amount, \$2,509,000 would be transferred to the City Attorney, and \$300,000 would be
24 used to offset costs incurred by Department of Public Works' staff.

1 **USES Appropriation**

| 2 | Fund | Index Code / | Subobject | Description | Amount |
|---|---------------------------------|---------------|------------------|----------------------|---------------------------|
| 3 | | Project Code | | | |
| 4 | 1G AGF ACP | PWE331GGFACP | 06700 Buildings, | Fourth Street Bridge | \$2,809,000 |
| 5 | GF-Continuing | CENTRN SM9099 | Structures, and | Project Litigation | |
| 6 | Project | | Improvement | Expenses | |
| 7 | | | Project-Budget | | |
| 8 | | | | | |
| 9 | Total USES Appropriation | | | | <u>\$2,809,000</u> |

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11 Section 3. The Controller is authorized to record transfers between funds and adjust the
12 accounting treatment of sources and uses appropriated in this ordinance as necessary to
13 conform with Generally Accepted Accounting Principles.

14
15 FUNDS AVAILABLE

17 APPROVED AS TO FORM: BEN ROSENFELD

19 DENNIS J. HERRERA, City Attorney Controller

21 By: _____ By: _____

23 Deputy City Attorney Date: February 1, 2011

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