

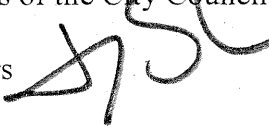


**OFFICE OF MAYOR JERRY SANDERS  
CITY OF SAN DIEGO**

**MEMORANDUM**

DATE: December 3, 2008

TO: Honorable Council President Peters  
Honorable Members of the City Council

FROM: Mayor Jerry Sanders 

SUBJECT: Veto of Budget Resolution R-304447

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I hereby veto Budget Resolution R-304447 because a mayoral veto is the only mechanism available to me to render invalid Council Appropriations Ordinance O-2009-82 Cor. Copy, which the City Council approved Monday, Dec. 1, 2008, in violation of the City Charter.

The actions taken on Items 2 and 3 of that Appropriations Ordinance were made in violation of the City Charter, which plainly requires consistency between a budget resolution and its implementing ordinance. Items 2 and 3 contain \$600,000 in appropriations not included in the Budget Resolution.

My office has been advised by the City Attorney's Office, repeatedly and consistently, that the actions on Items 2 and 3 were not legal. However, the City Attorney's Office did not provide a timely written confirming opinion that would have invalidated the ordinance, despite repeated requests. The Charter mandates that I sign or veto the Budget Resolution today.

This action, by extension, renders Appropriations Ordinance O-2009-82 Cor. Copy null and void.

It is my strong hope that the City Council, when next considering how to address the city's budgetary crisis, will act in accordance with the City Charter under which we all serve.

cc: Michael Aguirre, City Attorney  
Jay Goldstone, Chief Operating Officer  
Mary Lewis, Chief Financial Officer  
Andrea Tevlin, Independent Budget Analyst  
Liz Maland, City Clerk