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

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

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

**SOURCES Appropriation**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Index Code</th>
<th>Subobject</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1G AGF AAA</td>
<td>*CON1GAGFAAA</td>
<td>098GR</td>
<td>General Fund</td>
<td>$2,809,000</td>
</tr>
<tr>
<td>GF-Non-Project-Controlled</td>
<td></td>
<td></td>
<td>Reserve</td>
<td></td>
</tr>
</tbody>
</table>

Total SOURCES Appropriation $2,809,000

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

<table>
<thead>
<tr>
<th>Fund</th>
<th>Index Code / Project Code</th>
<th>Subobject</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1G AGF ACP</td>
<td>PWE331GGFACP</td>
<td>06700 Buildings,</td>
<td>Fourth Street Bridge</td>
<td>$2,809,000</td>
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<tr>
<td>GF-Continuing</td>
<td>CENTRN SM9099</td>
<td>Structures, and</td>
<td>Project Litigation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Improvement</td>
<td>Expenses</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Project-Budget</td>
<td></td>
</tr>
<tr>
<td>Total USES Appropriation</td>
<td></td>
<td></td>
<td></td>
<td>$2,809,000</td>
</tr>
</tbody>
</table>

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

**FUNDS AVAILABLE**

**APPROVED AS TO FORM:**

**BEN ROSENFIELD**

**DENNIS J. HERRERA,** City Attorney

**Controller**

**By:**

Deputy City Attorney

By:  

Date: February 1, 2011
Ordinance appropriating $2,809,000 from the General Fund Reserve to the Department of Public Works for litigation expenses related to the Santa Clara Superior Court Case between Mitchell Engineering/Obayashi Corporation v. City and County of San Francisco for the Fourth Street Bridge Project in FY2010-2011.

March 02, 2011 Budget and Finance Sub-Committee - CONTINUED

March 09, 2011 Budget and Finance Sub-Committee - RECOMMENDED

March 15, 2011 Board of Supervisors - PASSED, ON FIRST READING
   Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar and Wiener
   Excused: 3 - Campos, Cohen and Mirkarimi

March 22, 2011 Board of Supervisors - FINALLY PASSED
   Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener
   Excused: 1 - Avalos

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 3/22/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Edwin Lee

Date Approved

3/23/11