

CITY OF SAN DIEGO

Proposition B

(This proposition will appear on the ballot in the following form.)

PROP B

AMENDS CHARTER TO REQUIRE COUNCIL TO SUBMIT CHARTER AMENDMENTS TO VOTERS AT JUNE 2010 ELECTION RELATING TO STRONG MAYOR FORM OF GOVERNANCE. Shall the Charter be amended to require the City Council to submit to voters at the June 2010 election Charter amendments making the Strong Mayor form of government permanent; adding a Council seat; and, when the ninth seat is filled, increasing the Council votes required to override a mayoral veto?

This proposition requires approval by a simple majority (over 50%) of the voters voting on the proposition.

The proposed charter amendment follows the argument.

OFFICIAL TITLE AND SUMMARY

CHARTER AMENDMENTS RELATING TO PERMANENCY OF THE STRONG MAYOR FORM OF GOVERNANCE. Shall the voters approve an amendment to the Charter to require the City Council to submit to voters at the June 2010 election Charter amendments making the Strong Mayor form of government permanent; adding a Council seat; and, when the ninth seat is filled, increasing the Council votes required to override a mayoral veto?

CITY ATTORNEY IMPARTIAL ANALYSIS

Background. For 75 years the City of San Diego had a Council-Manager form of government, in which a nine-member elected City Council, including a Mayor, governed and set policy for the City, and a City Manager acted as Chief Executive Officer, running day-to-day affairs.

In November 2004, voters approved a five-year trial period to begin January 1, 2006 to test a different structure called a Strong Mayor, or Mayor-Council, form of governance. In this form of governance, the elected Mayor is no longer a member of the Council, but becomes the City's Chief Executive Officer, responsible for running City affairs.

During the operative trial period, the Council is an eight-member body and the Mayor may require the Council to reconsider most of the matters it passes (ordinances, resolutions, and changes to the budget) by using a veto. The Council may override the Mayor's veto with the same number of votes needed to pass the matter. Most matters require five votes of the eight Council members to pass, although some matters require six votes.

Article XV, section 255 of the Charter states that the five-year trial period remains in effect until December 31, 2010, at which time the Article will be repealed, returning the government to its previous Council-Manager form.

Proposal. The City Council has authorized a ballot proposition seeking voter approval to amend Article XV, section 255 of the San Diego City Charter. If adopted, this change would require the City Council to place a single measure on the ballot at the June 2010 election to have voters decide whether: 1) the Strong Mayor form of government should become permanent effective January 1, 2011; 2) to increase the number of City Council districts from eight to nine in conjunction with the next City redistricting process after the national census in 2010; and 3) to increase the number of Council votes needed to override the Mayor's veto to two-thirds of the nine-member Council, after the ninth Council seat is filled by election. At that point, six of nine votes would be required to override matters the Council passed by either five or six votes.

FISCAL IMPACT STATEMENT

The approval of this measure would require the placement of another measure on the ballot in 2010. The cost to the City to place a measure on the ballot varies with each election, but may range from \$300,000 - \$1,000,000. If placed on the ballot in 2010, this measure would include a fiscal impact statement on the costs of implementing the proposals.

ARGUMENT IN FAVOR OF PROPOSITION B

GIVE VOTERS THE RIGHT TO MAKE REFORMS PERMANENT

Proposition B keeps the promise to let voters make a permanent decision on the Strong Mayor system in 2010. With Proposition B, voters decide San Diego's future.

CONTINUE STRONG MAYOR SYSTEM

Voters approved a 5-year trial Strong Mayor form of government in 2004. Unless Proposition B is approved, the Strong Mayor reforms voters adopted will expire automatically – reinstating the City Manager system that led to San Diego's financial crisis.

Our elected Mayor – not appointed staff – is directly accountable to voters and taxpayers for city employee performance.

Under this system, the Mayor and Councilmembers reduced city deficits, increased accountability, and provided checks and balances so past mistakes can't be repeated. But the Strong Mayor system automatically expires unless voters get an opportunity to make it permanent. Proposition B gives you the right to decide.

ADD ONE NEW COUNCIL MEMBER

Today there are eight council districts. This can result in tie votes, causing logjams and delays for reforms and other critical matters.

Proposition B lets voters decide in 2010 if we should add a ninth district to break the logjams at City Hall and gives neighborhoods a stronger voice in decisions.

REASONABLE MAYORAL VETO ON COUNCIL POWER

When the Mayor disagrees with the Council, he can veto their decision.

Currently, the Charter requires the same five Council votes to override a veto as were initially required to approve the same City Council action.

Proposition B will require a 2/3 council vote to override a Mayoral veto when the Council grows to nine members. That is the same requirement as in the U.S. Congress, State Legislatures, and many cities.

Please vote "Yes on B" to let the voters decide on our future form of government.

LORENA GONZALEZ
Secretary-Treasurer,
San Diego-Imperial Counties
Labor Council

COUNCILMEMBER JIM MADAFFER
President,
League of California Cities

DUANE J. ROTH
Member,
Charter Review Committee

GLEN W. SPARROW
Professor Emeritus,
School of Public Affairs, SDSU

ADRIAN S. KWIATKOWSKI
President, Strong Mayor-Council Institute

ARGUMENT AGAINST PROPOSITION B

No argument against the proposition was filed
in the office of the City Clerk.

PROPOSED CHARTER AMENDMENT

The portions of the charter to be added are underlined.

Section 255: Operative Date; Sunset of Article; Future Action by Voters

(a) The date for the provisions of this Article to become operative is January 1, 2006.

(b) After January 1, 2006, the provisions of this Article shall remain in effect for a period of five years (until December 31, 2010) at which time this Article shall be automatically repealed and removed from the Charter. However, the Council and the people reserve the right to propose amendments to the Charter at the November 2010 election or sooner to extend, make permanent, shorten or repeal the effective period of this Article and to consider increasing the number of Council districts to nine at the time of the next City Council district reapportionment which follows the national decennial census in 2010.

(c) To ensure the people have an opportunity to consider the permanency of this Article before it is automatically repealed, at the June 2010 election, the City Council shall place a measure on the ballot to propose amendments to the Charter to make this Article permanent on January 1, 2011; increase the number of Council districts to nine at the time of the next City Council district reapportionment which follows the national decennial census in 2010; and increase the number of Council votes required to override a mayoral veto of an ordinance or resolution to a two-thirds majority of the Council, with such increase to take effect at such time a ninth Council member is elected and qualified.