ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 11.0102.5, RELATING TO THE CHANGE IN THE MAYOR'S AUTHORITY, POWERS, AND RESPONSIBLITIES UNDER THE MAYOR-COUNCIL TRIAL FORM OF GOVERNANCE

WHEREAS, at a municipal election held on November 2, 2004, the voters of the City of San Diego approved Proposition F, thereby adding Article XV to the City Charter which changes the City's current Council-Manager form of government to a Mayor-Council form of government on a five-year trial basis beginning January 1, 2006; and

WHEREAS, Article XV, section 260(b) of the City Charter provides that all executive authority, power, and responsibilities conferred upon the City Manager in Article V, Article VII, and Article IX shall be transferred to, assumed, and carried out by the Mayor during the period of time Article XV is operative; and

WHEREAS, in addition to the City Charter, the San Diego Municipal Code describes the rights, powers, and duties of the City Manager; and

WHEREAS, in order to implement the new form of government and the intent of Article XV of the City Charter, it is necessary to add a provision to the San Diego Municipal Code that recognizes the Mayor's new role and transfers the rights, powers, and duties of the City Manager as set forth in the San Diego Municipal Code to the Mayor; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 1, Article 1, Division 1, is amended by adding new section 11.0102.5, to read as follows:

§ 11.0102.5 Mayor-Council Form of Governance

In order to implement the purpose and intent of Article XV of the City Charter which creates a Mayor-Council trial form of governance, all references to the "City Manager" in the San Diego Municipal Code shall be deemed to refer to "Mayor." This section becomes operative on January 1, 2006, and shall remain in effect for the period of time that the City operates under the Mayor-Council form of government.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on January 1, 2006.

Section 4. That this ordinance shall remain in effect for a period of five years (until December 31, 2010), at which time this ordinance shall be automatically repealed and removed from the Municipal Code. However, in the event that the people of the City of San Diego, at an election held prior to December of 2010, amend the City Charter to extend or make permanent the Mayor-Council form of government, and in so doing maintain the rights, powers, and duties

of the Mayor, the provisions of this ordinance shall not be repealed but shall instead remain in full force to the same extent as allowed by the City Charter.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Catherine M. Bradley

Catherine M. Bradley
Deputy City Attorney

CMB:jab
10/03/2005
Or.Dept: Transition Committee
O-2006-45