

CITY ATTORNEY'S IMPARTIAL ANALYSIS

Background. From 1931 to 2006, the City of San Diego was governed by an elected City Council and an appointed City Manager. Since 1965, the City Council, serving as the City's legislative body, has included eight Councilmembers and the Mayor. The City Manager, serving as chief administrative officer, ran day-to-day affairs, supervised City departments and proposed the City budget for Council approval.

Strong Mayor Trial Period. On January 1, 2006, the City began a five-year, voter-approved experiment to evaluate a Strong Mayor (also known as Mayor-Council) form of government. This structure removes the Mayor from the Council. The Mayor becomes the Chief Executive Officer and assumes executive authority, power, and responsibilities previously held by the Manager.

The Mayor prepares the annual budget for the Council's consideration and adoption, subject to a Mayoral line-item veto process. The Council-appointed Independent Budget Analyst provides budget analysis for the Council.

The Mayor appoints the City Manager, Police Chief, and Fire Chief, subject to Council confirmation. Charter amendments in 2008 empower the Mayor to appoint the City Auditor and Chief Financial Officer, with Council confirmation. The Mayor appoints the Treasurer and all other managerial department heads formerly under the Manager; these positions serve at the Mayor's pleasure.

The Council sets the City's legislative agenda, establishes its own rules, and elects a presiding officer (Council President). The Mayor, City Attorney, and Council President jointly set the agenda for closed session meetings; when present, the Mayor presides over closed session meetings. The Mayor may attend Council meetings, but may not vote, and must approve or veto most Council actions. The Council must reconsider vetoed items and may override vetoes, usually with a five-vote majority.

Proposal. In 2008, voters required the Council to place this measure before voters.

If the measure is approved, it will establish a Strong Mayor form of government for the City similar to that tested during the trial, with certain differences: The number of Council districts will increase from eight to nine. The ninth district will be established by redistricting following the 2010 Census. Voters in the new 9th Council District will nominate and elect their Councilmember at the next regularly scheduled municipal primary and general elections following the redistricting process. The number of Council votes required to override a Mayoral veto on any matter will increase from five to six (two-thirds), effective when the ninth Councilmember is seated.

If the measure fails, the Strong Mayor form of government will expire December 31, 2010. City government will return to a Council-Manager form, similar to that existing before the trial period, except for the continued existence of City Offices approved by voters in 2008. The new Offices include the City Auditor, supervised by an Audit Committee; a Chief Financial Officer; and the Independent Budget Analyst.