

CITY OF SAN DIEGO

Proposition A

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

PROP A

AMENDS THE CITY CHARTER TO EXEMPT FROM THE MANAGED COMPETITION PROCESS THE CORE PUBLIC SAFETY SERVICES PROVIDED BY PARTICIPANTS IN THE CITY'S SAFETY RETIREMENT SYSTEM. Shall the Charter be amended to exempt from the Managed Competition process the core public safety services provided by police officers, firefighters, and lifeguards who participate in the City's Safety Retirement System?

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

EXEMPTION OF CORE PUBLIC SAFETY SERVICES FROM MANAGED COMPETITION. Shall the voters approve an amendment to the Charter to exempt from the Managed Competition process the core public safety services provided by police officers, firefighters, and lifeguards who participate in the City's Safety Retirement System?

CITY ATTORNEY IMPARTIAL ANALYSIS

On November 7, 2006, the voters approved an amendment to the City Charter to allow the City to employ any independent contractor when the City Manager determines, subject to City Council approval, City services can be provided more economically and efficiently by an independent contractor than by a person employed in the Classified Service, while maintaining service quality and protecting the public interest.

The City Council has authorized the placement of a proposition on the ballot seeking voter approval to amend Article VII, section 117 of the City Charter to exempt from the Managed Competition process the core public safety services provided by police officers, firefighters, and lifeguards who participate as safety members in the City's Retirement System.

In general, the safety members that participate in the City's retirement system include sworn officers of the City Police Department, uniformed members of the City Fire Department, and full-time City lifeguards. The "core public safety services" are those services performed by police officers, firefighters and lifeguards that are essential for public protection and safety.

FISCAL IMPACT STATEMENT

The approval of this ballot measure would have no fiscal impact to the City.

ARGUMENT IN FAVOR OF PROPOSITION A

PROPOSITION A PROTECTS POLICE, FIRE, AND LIFEGUARD SERVICES

Voting "Yes on A" ensures that Police, Fire, and Lifeguard services receive protection and priority. Proposition A exempts these safety professionals from Managed Competition.

Police, Fire and Lifeguard services should NOT be contracted-out to private companies. Core safety services must be protected as an essential first duty of government, performed only by persons directly accountable to the Mayor and taxpayers.

PROPOSITION A: PUBLIC SAFETY SERVICES ONLY BY CITY PROFESSIONALS

Police Officers and Lifeguards have the duty to courageously protect our residents and the power to arrest them. Professionals with this kind of duty and power should ONLY be employed by the public, not a corporation no matter how well managed.

Firefighters who bravely step into harm's way deserve the guarantee that our City will give them the best training and support possible. Our homes, our families, our lives, and our economy all depend on the quality of these brave women and men. We cannot entrust this to outside interests.

PROPOSITION A KEEPS THE BEST SAFETY OFFICERS WORKING FOR SAN DIEGO

Proposition A keeps public safety employees working for San Diego. It assures their public safety benefits and due process rights cannot be reduced by shifting their employment to private companies. This is important to keep them from seeking jobs in other cities that may offer better pay or job protection.

In the past few years we have doubled the number of recruits currently entering the Police Academy. At the same time, our rate of losing Police Officers who are taking jobs in other jurisdictions is down by 50 percent.

Since 2005, our City has made great progress through reform and hard work. We urge you to vote "Yes on A" to keep this progress moving forward.

TRACY JARMAN
Fire Chief

WILLIAM LANSDOWNE
Chief of Police

LANI LUTAR
President, San Diego County
Taxpayers Association

SCOTT PETERS
San Diego City Council President

JERRY SANDERS
Mayor, City of San Diego

ARGUMENT AGAINST PROPOSITION A

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 117: Unclassified and Classified Services

Employment in the City shall be divided into the Unclassified and Classified Service.
[subsections (a)-(b) no change in text]

(c) The City may employ any independent contractor when the City Manager determines, subject to City Council approval, City services can be provided more economically and efficiently by an independent contractor than by persons employed in the Classified Service while maintaining service quality and protecting the public interest. The City Council shall by ordinance provide for appropriate policies and procedures to implement this subsection. Such ordinance shall include minimum contract standards and other measures to protect the quality and reliability of public services. A City department shall be provided with an opportunity and resources to develop efficiency and effectiveness improvements in their operations as part of the department's proposal. The core public safety services provided by police officers, firefighters, and lifeguards who participate in the City's Safety Retirement System shall not be subject to Managed Competition. The City Manager shall establish the Managed Competition Independent Review Board to advise the City Manager whether a City department's proposal or an independent contractor's proposal will provide the services to the City most economically and efficiently while maintaining service quality and protecting the public interest. The City Manager will appoint seven (7) members to the Board. Four (4) shall be private citizens whose appointments shall be subject to City Council confirmation. Each shall have professional experience in one or more of the following areas: finance, law, public administration, business management or the service areas under consideration by the City Manager. Three (3) shall be City staff including a City Manager staff designee, a City Council staff designee and the City Auditor and Comptroller or staff designee. Such appointees shall not have any personal or financial interests which would create conflict of interests with the duties of a Board member. Members of the Board shall be prohibited from entering into a contract or accepting employment from an organization which secures a City contract through the managed competition process for the duration of the contract. The City Council shall have the authority to accept or reject in its entirety any proposed agreement with an independent contractor submitted by the City Manager upon recommendation of the Managed Competition Independent Review Board. The City Manager shall have the sole responsibility for administering and monitoring any agreements with contractors. The City Manager shall be required to produce annual performance audits for contracted services, the cost of which must be accounted for and considered during the bidding process. In addition, the City Manager shall seek an independent audit every five (5) years to evaluate the City's experience and performance audits. During the period of time that the City operates under the Strong Mayor form of governance pursuant to Article XV, the reference herein to City Manager shall be deemed to refer to the Mayor.