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REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

RELATIONSHIP BETWEEN PROPOSITIONS F AND H

INTRODUCTION

At the Council meeting of January 24, 2005, in re Docket Item No. 200, Councilmember Donna Frye directed the City Attorney to provide an analysis of the relationship between Propositions F and H, which were approved by the voters on November 2, 2005.

DISCUSSION

At the Council meeting of January 24, 2005, in re Docket Item No. 200, Councilmember Donna Frye directed the City Attorney to provide an analysis of the relationship between Propositions F and H, which were approved by the voters on November 2, 2005.

Proposition F becomes effective on January 1, 2006, and sunsets on December 31, 2010. During this period, the current Council-Manager form of government will be replaced by a Mayor-Council form of government in which the Mayor serves as the City's Chief Executive Officer and assumes the role of the City Manager.

Proposition H becomes effective April 1, 2005, and has no sunset. It mandates a newly constituted Board of Administration for the City Employees' Retirement System and sets forth the requirements for election or appointment to this Board.

Under the current Charter Section 144, the City Manager serves as a member of this eleven member Board, as do the City Auditor/Comptroller and the City Treasurer. Under Proposition H, "**prior** to April 1, 2005, in anticipation of the effective date, and thereafter," the City Manager shall appoint only one member to the new thirteen member Board—specifically, the City Manager or City Treasurer or Deputy/Assistant City Manager or someone in a similar position who reports to the Manager. This appointee is to serve at the pleasure of the City Manager.

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Under current Charter Section 144, the Council appoints four members to the Board—one bank officer and three citizens. Under Proposition H, the Mayor shall appoint seven members to the Board with the Council confirming the Mayor's appointments.

On January 1, 2006, the effective date of Proposition F, the Mayor will assume the role of City Manager and will acquire the City Manager's obligation to make one appointment from management to the Board. This appointee will then serve at the pleasure of the Mayor rather than for the four- or eight-year terms accorded the Mayor's other seven appointees.

Should the Mayor-Council form of government be terminated on or before December 31, 2010, or at any time thereafter, the City manager will reassume the duty under Proposition H to appoint one member to the Board.

Respectfully submitted,

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