

January 11, 1995
JOINT REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

CERTIFICATION OF ELECTION RESULTS FOR PROPOSITION D
AND FUTURE RETIREMENT BALLOT PROPOSALS

ISSUE

At the City Council meeting on December 5, 1994, you continued the certification of election results for Proposition D from the November 8, 1994, election, so that the City Clerk, the City Attorney and the Retirement Board Administrator could resolve the issue of the payment of costs for this measure. Proposition D was approved by a majority of the voters and amended section 141 of the City Charter by deleting the term "continuous" and in its place substituting the phrase "for which payment has been made" as it describes the service required for a retirement allowance from the City Employees Retirement System.

RECOMMENDATION

- A. Certify the election results for proposition D;
- B. Direct the payment of these election costs from the elections budget; and
- C. Direct the City Clerk and the City Attorney, in consultation with the Retirement Board Administrator, to develop a Council Policy governing Charter amendments affecting the Retirement System, and specifically to develop procedures to be followed in bringing such proposed amendments before the City Council and to resolve who will pay the costs associated with these proposals.

DISCUSSION

Pursuant to Council direction at the meeting of December 5, 1994, members of the City Clerk's staff met with staff of the City Attorney's office and Retirement Board Administrator to resolve questions about the payment of election costs for Proposition D. As a result of that meeting, the City Attorney and City Clerk are recommending that all costs associated with the November election, including the costs for Proposition D, be paid out of the elections budget.

Historically, City of San Diego ballot proposals have been paid from the elections budget, including measures brought before the Council by the Retirement Board Administrator. Furthermore, funds were budgeted by the City Clerk for the election costs associated with the November, 1994, election, and this election budget contains enough money to cover the cost of Proposition D. The full amount has been allocated by the

City Auditor and was approved by the Council with the adoption of the elections ordinance in August, 1994.

Because of the discussion surrounding Proposition D, however, it is obvious that there needs to be a clearer procedure in place for future ballot proposals brought forward by the Retirement Board Administrator. We are therefore recommending that the Council direct the City Clerk and the City Attorney, in consultation with the Retirement Board Administrator, to develop a Council Policy which would address these issues.

CONCLUSION

In summary, it is our recommendation that the costs associated with Proposition D be paid out of the Citywide Elections budget of the Citywide Program Expenditures fund, since the money has been budgeted and because this has been the past practice. Additionally, we recommend that the Council direct the City Clerk and the City Attorney to develop clearer procedures for use in the future. This policy would include both the process for bringing proposals forward as well as payment of the costs associated with any future ballot measures.

Respectfully Submitted,

By

Charles G. Abdelnour
City Clerk

By

John W. Witt
City Attorney

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