

RESOLUTION NUMBER R- 306031  
DATE OF FINAL PASSAGE JUL 26 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DIRECTING THE CITY ATTORNEY TO PREPARE A BALLOT TITLE AND SUMMARY; DIRECTING THE MAYOR TO PREPARE A FISCAL ANALYSIS; DIRECTING PREPRATION OF AN IMPARTIAL ANALYSIS; AND ASSIGNING AUTHORSHIP OF THE BALLOT ARGUMENT; ALL REGARDING THE BALLOT MEASURE REGARDING EMPLOYMENT OF DEPUTY CITY ATTORNEYS.

WHEREAS, San Diego Municipal Code section 27.0504 allows the City Council to direct the City Attorney to prepare a ballot title and summary of any proposed ballot measure; and

WHEREAS, San Diego Municipal Code section 27.0505(d) allows the City Council to direct an appropriate official to prepare an impartial analysis of any proposed ballot measure if a measure affects the organization or salaries of the Office of the City Attorney; and

WHEREAS, San Diego Municipal Code section 27.0506 allows the City Council to direct the City Manager (Mayor under the current Council-Mayor form of government) to prepare a fiscal impact analysis of any proposed legislative act; and

WHEREAS, San Diego Municipal Code section 27.0513 allows the City Council to assign authorship and signing of the ballot argument to itself, individual Councilmembers, and the Mayor; and

WHEREAS, at a meeting held on July 26, 2010, the City Council adopted Ordinance No. 0-19978 (N.S.), to place on the November 2, 2010 ballot one proposition amending the Charter of the City of San Diego to establish a good cause requirement for the termination or suspension of Deputy City Attorneys who have served continuously for two years or more,

except that any Deputy City Attorney may be subject to layoff due to lack of work or insufficient appropriation to meet the salary requirements necessary to maintain existing personnel; and

WHEREAS, this ballot measure affects the organization or salaries of the Office of the City Attorney, and thus the impartial analysis of the measure is to be assigned to an “appropriate official” and not to the Office of the City Attorney, under Municipal Code section 27.0505(d); and

WHEREAS, the City Council’s proposal, on its own motion, of a charter amendment is governed by California Constitution, article XI, section 3(b), California Elections Code section 9255(a)(2), and California Government Code section 34458, and is not subject to veto by the Mayor; NOW, THEREFORE,

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

1. That the City Attorney is directed to prepare a ballot title and summary of the proposed ballot measure for inclusion in the voter pamphlet and to deliver the ballot title and summary to the Office of the City Clerk, Elections Section, no later than August 16, 2010.


2. That the City Clerk is directed to cause to be prepared an impartial analysis of the proposed ballot measure for inclusion in the voter pamphlet and to deliver the impartial analysis to the Office of the City Clerk, Elections Section, no later than August 16, 2010.

3. That the Mayor is directed to prepare, in consultation with the Independent Budget Analyst, a fiscal impact analysis of the proposed ballot measure for inclusion in the voter pamphlet and to deliver the analysis to the Office of the City Clerk, Elections Section, no later than August 16, 2010.

4. That Councilmember Todd Gloria, Councilmember Carl DeMaio and City Attorney Jan Goldsmith are authorized to sign and file a written argument in support of the ballot

measure for inclusion in the voter pamphlet and to deliver the argument to the Office of the City Clerk, Elections Section, no later than August 19, 2010.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
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Sharon B. Spivak  
Deputy City Attorney

SBS:jdf  
07/13/10  
07/26/10 Rev.  
Or.Dept:Rules Committee

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