

**Article 2: Administrative Code**

**Division 2: The City Manager**

**§22.0201 Authority, Department Organization**

The City Manager shall have authority within any office or department under his control, to organize such divisions, bureaus, or other operating units, in addition to those prescribed by the Charter or by ordinance, and may assign work to them, as may be necessary or convenient for the proper conduct of the work of the office or department. Offices, departments, divisions, or bureaus established by ordinance, may not be abolished except by ordinance and powers and duties conferred or assigned by ordinance may not be transferred elsewhere except by ordinance. The Manager may assign to an office, department, division, or bureau, duties in addition to those assigned by ordinance.

*(Incorp. 1-22-1952 by O-5046 N.S., contained in O-258 N.S. adopted 6-28-1933.)*

**§22.0202 Authority, Discipline**

The City Manager, except as otherwise provided by Charter or ordinance, shall appoint and may, in accordance with the provisions of Sections 30 and 129 of the City Charter, dismiss, suspend, and discipline all officers and employees in the administrative service under his control.

*(Incorp. 1-22-1952 by O-5046 N.S., contained in O-258 N.S. adopted 6-28-1933.)*

**§22.0203 Annual Reports**

It shall be the duty of the City Manager to prepare and present to the Council on or before the first day of January of each year, an annual report of the affairs of the City and such other reports as the Council may require or as he may deem advisable. For the purpose of the preparation of such annual report, it is hereby made the duty of the head of every commission, board, department, and the office of the City government, not under the control of the City Manager to furnish to the City Manager, on or before the first day of November of each year, a comprehensive report of the activities and affairs of such commission, board, department or office for the past year, such report to contain, in addition to all other matter, any information specifically requested by the City Manager.

*(Incorp. 1-22-1952 by O-5046 N.S., contained in O-258 N.S. adopted 6-28-1933.)*

**§22.0204 Work Programs**

In order that City Manager may be fully advised as to all activities being carried on or planned by the City as a whole, for the fiscal year, the head of every commission, board, department or office not under the jurisdiction and control of the City Manager, shall, immediately after the adoption of the Annual Appropriation Ordinance, submit to the City Manager in such form and detail as he may require, a work program for the ensuing fiscal year, which program shall disclose all expenditures contemplated for operation and maintenance, and for the acquisition of property.

*(Incorp. 1-22-1952 by O-5046 N.S., contained in O-258 N.S. adopted 6-28-1933.)*

**§22.0205 Authority, Investigation**

The City Manager, when authorized by resolution of the Council, shall have power, either by himself or any other officer or person, designated for the purpose by him, to investigate and to examine or inquire into the affairs or operations of any commission, board, department, division, office, or employee, not under his direct control, and when so authorized by the Council shall have power to employ consultants and professional counsel to aid in such investigation, examination, or inquiry.

*(Incorp. 1-22-1952 by O-5046 N.S., contained in O-258 N.S. adopted 6-28-1933.)*

**§22.0206 Transfer of Duties**

Whenever in the ordinances of The City of San Diego it is provided that anything shall be done or may be done by an officer therein designated by a title which no longer exists, as used therein, the duty or authority to do such thing shall rest upon such officer as may be designated by ordinance or, as to departments under the control of the City Manager; by order of the City Manager, as the successor in such duty or authority of the officer originally referred to.

*(Incorp. 1-22-1952 by O-5046 N.S., contained in O-258 N.S. adopted 6-28-1933.)*

**§22.0208 Filling Vacancy**

Whenever the office of the City Manager is vacant, the duties thereof shall be performed, until a City Manager is appointed, by the person designated by the Council to perform such duties. The designation of such person shall be made by the Council by resolution, at the first regular or special meeting of the Council held after the office of City Manager shall have become vacant. Whenever such person is performing the duties of the office of the City Manager, he shall be known as the Acting City Manager. Any such designation shall be deemed to be revoked whenever another like designation is made by the Council. The office of the City Manager shall be deemed to be vacant during such period as the City Manager may, pursuant to Section 27 of the Charter, be suspended pending a hearing and final vote on his removal.

*(Incorp. 1-22-1952 by O-5046 N.S., contained in O-258 N.S. adopted 6-28-1933.)*

**§22.0220 Real Estate Assets Department**

Except as otherwise directly provided by the City Charter, all of the administrative functions and duties which relate to the activities of the City in connection with City-owned real estate, the leasing, sale, purchase and transfer of real property, the securing and acquisition of rights of way and easements, the maintenance of contact with the office of County Tax Collector for the purpose of securing information regarding property which may be sold because of delinquent taxes and which may be desired by the City for public use, the performance of administrative functions in connection with the work of the City Attorney in condemnation proceedings, the keeping of records of the investigation and checking of concessionaires to ensure compliance with leases and concession agreements, the preparation and maintenance of rental invoices, the checking of rental payments due in conformance with the terms and provisions of leases and concession agreements, the inspection and arrangement and programming for periodic inspection of properties of the City to ensure and assure a satisfactory and economical maintenance thereof, the analysis and inspection of forms of insurance policies, the investigations and determinations of the amounts and types of insurance coverage required, the maintenance of records and the making of recommendations to the departments concerned regarding and concerning insurance of the City properties, the review of all City-owned real property including the management of unimproved properties not presently needed for use for City properties, and the recommendation to the proper department concerned of property no longer needed for City use, the management and control of Pueblo Lands and other unimproved City properties which are not now needed or used for regular municipal activities, are, with the approval of the City Manager, the responsibility of the Real Estate Assets Department.

*(Retitled to "Real Estate Assets Department" and amended 3-7-1994 by O-18042 N.S.)*

**§22.0221 Real Estate Assets Director**

The Real Estate Assets Department shall be under the direct supervision of a Real Estate Assets Director, who shall be appointed by the City Manager, and who shall have the active and direct control and supervision of all activities, functions, and duties of said Real Estate Assets Department, subject to the supervisory control of the City Manager. The Real Estate Assets Director shall also perform such other related functions, activities and duties as may be assigned from time to time by the City Manager.

*(Retitled to "Real Estate Assets Department" and amended 3-7-1994 by O-18042 N.S.)*

**§22.0227 City Manager to Provide Budget Estimates Forms**

The City Manager shall, on or before the first day of March of each year, deliver to the head of every commission, board, department or office not under his jurisdiction or control, an adequate number of forms upon which the annual budget estimates of such commission, board, department or office shall, pursuant to Section 69 of the Charter, be submitted to the Manager.

*(Renumbered from Section 22.0801 on 4-15-1996 by O-18283 N.S.)*

**§22.0228 Preparation of Annual Budget; Library Appropriation**

In preparing the budget required by Section 69 of the Charter, the City Manager shall include a proposed appropriation for general library operation, maintenance and supplies for the San Diego Public Library System, as follows:

- (a) For Fiscal Year 2002, an amount equal to at least 4-1/2% of the proposed General Fund budget for Fiscal Year 2002;
- (b) For Fiscal Year 2003, an amount equal to at least 5% of the proposed General Fund budget for Fiscal Year 2003;
- (c) For Fiscal Year 2004, an amount equal to at least 5-1/2% of the proposed General Fund budget for Fiscal Year 2004;
- (d) For Fiscal Year 2005, and for each Fiscal Year thereafter, an amount equal to at least 6% of the proposed General Fund budget for each such Fiscal Year.
- (e) If the City Manager determines that anticipated revenues in any fiscal year will be insufficient to maintain existing City services necessary for preserving the health, safety, and welfare of the citizens, the City Manager may ask the City Council to temporarily suspend compliance with this Section. A majority vote of the City Council can temporarily suspend compliance with this Section for that fiscal year.

The City Council, in considering the passage each year of the Annual Appropriation Ordinance pursuant to Section 71 of the Charter, shall consider this proposed appropriation and shall make any appropriation for general library operation, maintenance and supplies in accordance with Council Policy 100-19.  
*(Amended 4-1-2003 by O-19163 N.S.)*

**§ 22.0229 Mid-Year Amendments to the Adopted General Fund Budget**

- (a) In the month of February or at such time during any fiscal year after the City has six months of actual budgetary data and the Mid-Year Budget Monitoring Report is projecting a surplus or a deficit relative to the adopted General Fund budget, the Mayor shall report such deficit or surplus to the City Council and provide a recommendation to the City Council, and accompanying budget amendment resolution, to address the reported deficit or surplus. The Mayor may recommend budgeting all, none, or any portion of any projected surplus.
- (b) The City Council may approve the Mayor’s recommendation or modify such recommendation in whole or in part, up to the total amount recommended by the Mayor, in accordance with Charter section 290(b).
- (c) Notwithstanding any other provision in this section, transfers of appropriations recommended by the Mayor pursuant to Charter section 73 shall not be considered budget amendments and shall not be subject to the provisions herein.
- (d) Notwithstanding any other provisions in this section, other modifications to the budget proposed by the Mayor shall not be subject to the provisions herein.

*(Added 8-4-2011 by O-20084 N.S.; effective 9-3-2011.)*  
*(Amended 8-3-2015 by O-20551 N.S.; effective 9-2-2015.)*

**§ 22.0230 Reporting Significant Reductions in Programs or Services**

- (a) Prior to any significant reduction in programs or services affecting the community, the Mayor, or designee, shall provide written notice to the City Council regarding such reductions and provide a fiscal justification thereof and a description of expected service level impacts.
- (b) In the event there is any disagreement between the Mayor and the City Council regarding what constitutes a significant reduction, the City Council may establish specific funding reduction levels by resolution.

*(Added 8-4-2011 by O-20084 N.S.; effective 9-3-2011.)*