



**OFFICE OF MAYOR JERRY SANDERS
CITY OF SAN DIEGO**


MEMORANDUM

Date: April 9, 2007
To: Honorable Members of the City Council
From: Mayor Jerry Sanders
Subject: City Attorney Opinion 2007-1 Regarding Respective Roles of the Mayor and City Council in Budget Decisions

The City Attorney issued opinion number 2007-1, dated Friday, April 6, 2007, in response to his earlier concerns about pending budgetary language passed on February 5, 2007 and compromise language brought to the City Council on March 19, 2007. I appreciate the full explanation provided in the City Attorney's opinion and the guidance set forth.

Under the Charter, Article XV, Strong Mayor, the voters determined the City was better served by a Mayor who is responsible for running the government and who is held accountable to the voters. Article XV also provides for Council oversight. As recognized in the City Attorney's opinion, there is no "bright line to draw" between the Mayor and the Council regarding budget authority. City, State and Federal governments operate their budgets in a "push/pull" environment that is part of the normal process. That process is a healthy one. As such, I do not agree with the City Attorney's recommendation to create an Appropriations Adjustment Committee. Not only does such a committee interfere with the normal process but it could also usurp both executive and legislative authority.

At this time, I support the compromise language for this fiscal year that was brought to Council as item 200 on March 19, 2007 and is docketed as item 330 on the City Council agenda of Tuesday, April 10, 2007. It defines a balanced approach, respectful of the Mayor's executive and the Council's legislative responsibilities as it relates to budget administration. This language, along with a strong commitment to effective communications between my office and the Council will ensure the citizens of San Diego are well served by our efforts.


JERRY SANDERS
Mayor

Cc: City Attorney
Chief Operating Officer
Chief Financial Officer
Independent Budget Analyst