

ANDREW JONES  
MARY JO LANZAFAME  
ASSISTANT CITY ATTORNEYS

JOAN F. DAWSON  
DEPUTY CITY ATTORNEY

OFFICE OF  
**THE CITY ATTORNEY**  
CITY OF SAN DIEGO

**JAN I. GOLDSMITH**  
CITY ATTORNEY

CIVIL ADVISORY DIVISION  
1200 THIRD AVENUE, SUITE 1620  
SAN DIEGO, CALIFORNIA 92101-4178  
TELEPHONE (619) 236-6220  
FAX (619) 236-7215

June 2, 2009

**VIA HAND DELIVERY**

Mr. David B. Wescoe  
Retirement Administrator  
San Diego City Employees' Retirement System  
401 West A Street, Suite 400  
San Diego, CA 92101

Ms. Elaine W. Reagan  
General Counsel  
San Diego City Employees' Retirement System  
401 West A Street, Suite 400  
San Diego, CA 92101

*RE: City Charter section 143.1 and DROP*

Dear Mr. Wescoe and Ms. Reagan:

This letter is to follow up on a letter personally delivered to Elaine Reagan this morning regarding the City Attorney's Memorandum of Law regarding the DROP implementation vote under City Charter section 143.1.

The letter and Memorandum provided to you were not intended to be a demand by the City to make any changes to your administration of the retirement plan. The Memorandum was intended to provide the City Attorney's opinion regarding whether a vote is needed to eliminate DROP as to unclassified and classified, unrepresented employees and changes to DROP as they relate to classified employees in the San Diego Police Officers Association and Local 127, AFSCME.

We ask that you review the opinion and provide your response to us. Further, in order to ensure that the City complies with existing labor agreements and that the labor relations requirements are followed, we would not object if you continued to receive applications for DROP, as long it is clear that the applications are subject to the legal issues related to DROP being resolved.

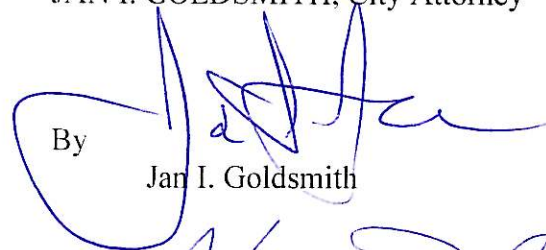
Mr. David B. Wescoe, Retirement Administrator  
Ms. Elaine W. Reagan, General Counsel

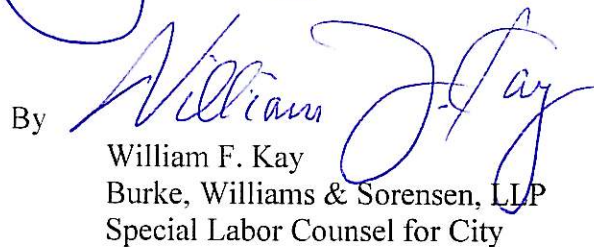
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June 2, 2009

Sincerely yours,

JAN I. GOLDSMITH, City Attorney

By   
Jan I. Goldsmith

By   
William F. Kay  
Burke, Williams & Sorensen, LLP  
Special Labor Counsel for City

JIG:WFK:gc  
Enclosure

cc: Honorable Mayor Jerry Sanders  
Council President Ben Hueso  
Council President Pro Tem Kevin Faulconer  
Councilmember Sherri Lightner  
Councilmember Todd Gloria  
Councilmember Anthony Young  
Councilmember Carl DeMaio  
Councilmember Donna Frye  
Councilmember Marti Emerald  
Elizabeth Maland, City Clerk