

**THE COMMITTEE ON BUDGET AND FINANCE
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR
WEDNESDAY, MARCH 5, 2008, AT 9:00 A.M.**

**COUNCIL COMMITTEE ROOM (12TH FLOOR),
CITY ADMINISTRATION BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

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NON-AGENDA PUBLIC COMMENT: None.

COMMITTEE COMMENT: Councilmember Frye commented on her memo regarding cost recovery for fire and police services provided for events and to colleges and universities.

CITY ATTORNEY, IBA, AND MAYORAL STAFF COMMENT: None.

ADOPTION AGENDA

Approval of the Record of Action Items for February 20, 2008

ACTION: Approved by common consent.

ITEM-1: Report from the Independent Budget Analyst regarding the Need for a
COMPREHENSIVE ANNUAL USER FEE REVIEW AS PART OF THE
ANNUAL BUDGET

(See Independent Budget Analyst's Report No. 08-20; Independent Budget Analyst's March 5, 2008, PowerPoint; City of La Mesa's Cost Recovery Policy chart)

ACTION: Motion by Councilmember Frye, second by Council President Pro Tem Madaffer, to request that the Mayor include a list of current user fees as part of the proposed 2009 Budget, and to request the City Auditor to provide an analysis of what resources would be needed in order for his office to perform an audit of existing user fees prior to the Mayor's planned review of the issue this coming summer.

VOTE: 3-0; Atkins-yea, Faulconer- not present; Frye-yea, Madaffer-yea;

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Hueso-not present

ITEM-2: Report from the Committee Chair and the City Attorney regarding Possible ENFORCEMENT MECHANISMS FOR THE LIVING WAGE ORDINANCE

(See City Attorney's March 3, 2008, report; City Attorney's March 5, 2008, PowerPoint; The New York Times' July 13, 2005, article; Maintenance Cooperation Trust Fund's, report; Maintenance Cooperation Trust Fund's March 5, 2008, PowerPoint)

ACTION: Motion by Councilmember Frye, second by Council President Pro Tem Madaffer, to 1) refer the issue of establishing a Citizens Advisory Committee to the Committee Chair; 2) refer the issue of whether Kenneth Wells should be reinstated based upon the rebuttable presumption that his termination was retaliatory to the City Attorney, with a response requested within two weeks; 3) refer the staffing issues to the Mayor's Office and the Independent Budget Analyst; 4) direct the City Attorney to draft an amendment to section 22.4230 of the Municipal Code, Living Wage Ordinance, to include the following:

- a. The City will incur costs to monitor a service contract with a business;
- b. In most instances, the specific amount of the annual contract management and administration costs will not be known and will have to be estimated;
- c. An estimate shall be calculated by the City, which may be reviewed by the Auditor for justification and reasonableness; and
- d. These costs shall be included as part of the contract bid.

5) direct the City Attorney to provide a more detailed analysis of the service worker exemption, including unintended consequences, workload implications, and the issues raised during public comment by the representative of Elite Show Services, and to draft an amendment to section 22.4215(a)(7) of the Municipal Code and other relevant sections of the Living Wage Ordinance that eliminates this exemption; and 6) have these reports, analyses, and drafts presented to the Budget Committee at its June 18, 2008, meeting.

VOTE: 3-0; Atkins-yea, Faulconer- not present; Frye-yea, Madaffer-yea; Hueso-not present

ITEM-3: Report from the Business Office Director regarding the CITY MANAGEMENT PROGRAM (Service Levels and Performance Measures)

(See Business Office Director's February 28, 2008, report; Independent Budget Analyst's Report No. 08-21; Business Office's March 5, 2008, Mission and Description report; Business Office's March 5, 2008, PowerPoint; Center on Policy Initiatives' March 5, 2008, PowerPoint; Center on Policy Initiatives'

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brochure “Making Ends Meet”)

ACTION: Information only. No action taken.

Toni Atkins
Chair