

**THE COMMITTEE ON  
RULES, OPEN GOVERNMENT, AND INTERGOVERNMENTAL RELATIONS  
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR  
THURSDAY, DECEMBER 6, 2007, AT 9:00 A.M.**

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

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619-236-6981

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NOTE: Councilmember Madaffer was not present at the meeting because he was attending a special meeting of the California League of Cities.

NON-AGENDA PUBLIC COMMENT: None.

COMMITTEE COMMENT: Councilmember Frye requested, consistent with Council Policy 000-26 (City Funds Commission Reports), the City Treasurer contact the Rules Committee Consultant in January and in July to arrange to make required semi-annual reports to the Rules Committee regarding the status of funds supervised by the Funds Commission.

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

ADOPTION AGENDA

Approval of the Record of Action Items for November 7, 2007

ACTION: Motion by Council President Pro Tem Young, second by Chair Peters, to approve.

VOTE: 4-0; Peters-yea, Young-yea, Maienschein-yea,  
Frye-yea, Madaffer-not present

CONSENT AGENDA:

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ITEM-1: Report from the Mayor's Office regarding VIDEO SERVICE PROVIDER FEES AND CUSTOMER SERVICE REGULATIONS FOR STATE FRANCHISED VIDEO SERVICE PROVIDERS

(See Report to City Council No. 07-202; Digital Infrastructure PowerPoint, dated December 6, 2007)

ACTION: Motion by Council President Pro Tem Young, second by Councilmember Frye, to approve staff recommendation.

VOTE: 4-0; Peters-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-not present

ACTION ITEMS:

ITEM-2: Update from the Mayor's Office regarding the EQUAL OPPORTUNITY CONTRACTING PROGRAM

(See Purchasing and Contracting Department's Report to City Council)

ACTION: No action taken. This issue was referred to the City Council for a hearing regarding the status of reforms in January 2008.

ITEM-3: **NOTE: At the request of the Committee Chair, Item 3 was pulled from the Agenda and will be rescheduled in 2008.**

Reports from the Mayor and Council President Peters and Councilmember Frye regarding AMENDMENTS TO THE PERMANENT RULES OF COUNCIL

ITEM-4: Report from the Intergovernmental Relations Department regarding THE 2008 LEGISLATIVE PROGRAM

(See Intergovernmental Relations Department's December 3, 2007, report; Intergovernmental Relations Department's December 6, 2007, PowerPoint)

ACTION: Motion by Councilmember Frye, second by Councilmember Maienschein, to refer this item to the City Council incorporating the comments of the Rules Committee members.

VOTE: 4-0; Peters-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-not present

ITEM-5: Report from the City Attorney regarding CRIMINAL PENALTIES RELATED

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TO IMPROPERLY INFLUENCING OUTSIDE AUDIT PROFESSIONALS

(See City Attorney's Report No. RC-2007-16, dated October 26, 2007; Jay Goldstone's December 6, 2007, memorandum)

ACTION: No action taken. This item was referred by the Rules Committee Chair to the Mayor's Office at the request of the Chief Operating Officer ([see attached memo](#)).

ITEM-6: Report regarding THE STATUS OF BENEFITS PAYMENTS IN EXCESS OF INTERNAL REVENUE CODE ("IRC") SECTION 415 AND OTHER PENSION RELATED MATTERS

(See various materials submitted by Councilmember Frye; Response from San Diego City Employees' Retirement System ("SDCERS"), dated December 5, 2007; Jay Goldstone's December 5, 2007, memorandum; David Wescoe's December 6, 2007, comments; SDCERS Contribution Schedule Chart; Municipal Code Section 24.1408; City Attorney's Packet of Materials relating to SDCERS regarding Preservation of Benefits Plan)

ACTION: No action taken. The Rules Committee received a report from SDCERS Administrator/CEO David Wescoe with contributions by SDCERS' tax counsel Terry Mumford and San Diego Chief Operating Officer Jay Goldstone.

Scott Peters  
Council President