

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

**ACTIONS FOR
WEDNESDAY, SEPTEMBER 3, 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: Comment by J. Nathaniel Howard regarding the
Pedi-Cab operations industry. Chair Madaffer referred this issue to the City Attorney.

COMMITTEE COMMENT: None.

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

ADOPTION AGENDA

Approval of the Record of Action Items for July 16, 2008

ACTION: Approve by common consent.

CONSENT ITEMS

ITEM-1: Resolution from Council President Scott Peters declaring "RAILS TO TRAILS
CONSERVANCY DAY", ON BEHALF OF THE ACTIVE 2010
TRANSPORTATION CAMPAIGN

(See Council President Scott Peters' August 25, 2008, memorandum)

ACTION: Motion by Councilmember Hueso, second by Council President Pro
Tem Madaffer, to support the Active Transportation 2010 policy and forward
Council President Peters' resolution to Council for approval.

VOTE: 5-0; Madaffer-yea, Peters-yea, Frye-yea, Hueso-yea; Young-yea

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ITEM-2: Resolution from Councilmember Donna Frye Supporting Statewide Ballot Proposition 2 – STANDARDS FOR CONFINING FARM ANIMALS, THE FARM ANIMAL CRUELTY PREVENTION ACT

(See Attorney General's initiative measure; Councilmember Frye's July 15, 2008, proposal; Humane Society's Yes! On Prop 2; Californian's for SAFE Food No on Prop 2; Draft of Resolution R-2008-1203; Californians for No on Prop 2 flyer)

ACTION: Motion Councilmember Frye, second by Councilmember Hueso, to support statewide ballot Proposition 2, the Prevention of Cruelty to Farm Animals, and forward Councilmember Frye's resolution to Council for approval.

VOTE: 5-0; Madaffer-yea, Peters-yea, Frye-yea, Hueso-yea; Young-yea

ITEM-3: Report from the Ethics Commission regarding CHANGES TO THE ELECTIONS CAMPAIGN CONTROL ORDINANCE

(See Ethics Commission's August 20, 2008, memorandum; Ethics Commission's September 2, 2008, update of proposed changes)

ACTION: Motion by Council President Peters, second by Council President Pro Tem Madaffer, to support staff recommendations with change of specific nomenclature to "Professional Expense Fund" from "Legal Defense Fund" to more accurately reflect the use and intent of the fund. Councilmember Young specifically did not support the additional filing requirement due to its onerous nature.

VOTE: 5-0; Madaffer-yea, Peters-yea, Frye-yea, Hueso-yea; Young-yea

ITEM-4: Report from the Ethics Commission regarding CHANGES TO THE COMMISSION'S INVESTIGATIVE AND ENFORCEMENT PROCEDURE

(See Ethics Commission's August 20, 2008, memorandum; Ethics Commission's September 2, 2008, update of proposed changes)

ACTION: Motion by Councilmember Young, second by Councilmember Frye, to return to the Ethics Commission the recommendations in the staff report

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included in sections C1, C2, C4, D2 and D4 related to Probable Cause and Administrative Hearings, as well as Subpoenas, in order for the Commissioners to consider the Rules Committee member comments; and to approve the remaining items listed in the staff report.

VOTE: 5-0; Madaffer-yea, Peters-yea, Frye-yea, Hueso-yea; Young-yea

INFORMATION ITEMS

ITEM-5: Report regarding the MARINE FREIGHT PRESERVATION AND BAYFRONT REDEVELOPMENT INITIATIVE

Presentations by:

1. Save Our Working Waterfront
2. Frank E. Gallagher III and Richard Chase, initiative authors

(See Voters' initiative measure; No on Prop B statement, Port of San Diego; San Diego Institute for Policy Research's August 2008 Policy Brief; Port of San Diego's "The Working Waterfront")

ACTION: Motion by Councilmember Frye, second by Council President Pro Tem Madaffer, to send the matter to the City Council prior to the November election for consideration without a recommendation. Direction to the City Attorney to prepare resolutions for and against for Council's consideration.

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

Jim Madaffer
Council President Pro Tem