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REPORT TO THE COMMITTEE ON BUDGET AND FINANCE

REVIEW OF CITY BOARDS, COMMISSIONS, AND COMMITTEES

As a follow up to our February 23, 2011, report on mandated City services, we are providing a summary of which City boards, commissions and committees are legally mandated and which are discretionary. We have reviewed the boards and commissions listed in the City Charter and the San Diego Municipal Code, on the City Clerk's website, and in other documents. The active boards and commissions are summarized on the attached chart along with the establishing legal authority.¹

Whether a board is legally mandated or discretionary depends on the establishing authority. In general, the City must maintain boards that are required by State law (e.g. Board of Building Appeals and Advisors) until the law is amended or repealed by the State legislature to discontinue the board. Charter established boards (e.g. Civil Service Commission) are required unless the Charter is amended by a vote of the electorate. Boards created by ordinance of the City Council (e.g. Airport Advisory Committee) or resolution (e.g. Citizens' Revenue Review and Economic Competitiveness Commission) can be eliminated by repeal of such ordinance or resolution.²

The chart also includes boards that are authorized or recognized by Council Policy (e.g. the Community Parking District Advisory Boards). These boards are not mandated by law and can be discontinued by amendment or rescission of the applicable Council Policy. However, the timing may be affected by underlying agreements with outside organizations authorized by the policy or other Council action. Finally, the chart includes boards that are required by agreement (e.g. the Defined Contribution Trustee Board and the Torrey Pines City Park Advisory Board). These agreements would need further review to determine whether the boards can be discontinued.

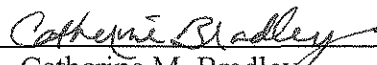
¹ There are also several "inactive boards and commissions" listed on the City Clerk's website. Those boards are not included in the attached chart as they have little or no impact on the City's budget. Also not included in the chart are various citizen committees and task forces that may advise City departments from time to time.

² See attached May 6, 2010 memorandum entitled "Advisory Boards and Commissions Established Under Charter Section 43" which recommended a cost-benefit review of these boards.

Our office will provide further legal analysis of particular boards and commissions upon request by the Committee or Council. We also are available to assist in documenting any proposed changes to City boards and commissions.

Respectfully submitted,

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By 
Catherine M. Bradley
Chief Deputy City Attorney

CMB:sc
Attachments
RC-2011-19

	ADVISORY BOARD OR COMMISSION	MANDATED BY CHARTER, STATE LAW OR OTHER AUTHORITY	CHARTER SECTION	MUNICIPAL CODE SECTION(S)	RESO	STATE OR FEDERAL LAW	OTHER AUTHORITY	NOTES
1	Airport Advisory Committee	No		26.2201 et seq.				
2	Arts and Culture (Commission)	No		26.0701 et seq.				
3	Audit Committee	Yes (Charter)	39.1					
4	Balboa Park Committee	No		26.30(f)				
5	Board of Building Appeals and Advisors	Yes (State law)		111.0207		2007 Cal. Bldg. Code § 108.8		
6	Citizens' Equal Opportunity Commission	No		26.16				
7	Citizens' Revenue Review and Economic Competitiveness Commission	No			R-305324			Temporary ad hoc task force
8	Citizens' Review Board on Police Practices	Yes (Charter)	43(d)					
9	Civil Service Commission	Yes (Charter)	41(b)					
10	Code Monitoring Team	No						Assists DSD in evaluation of issues related to the Land Development Code and proposed code amendments
11	Community Forest Advisory Board	No		26.0501 et seq.				
12	Community Parks I Area Committee (Council Districts 1, 2, 5 and 6)	No					Council Policy 600-33	This is a P&R advisory body that consists of chairs of recreation councils

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13	Community Parks II Area Committee (Council Districts 3, 4, 7 and 8)	No					Council Policy 600-33	This is a P&R advisory body that consists of chairs of recreation councils
14	Community Planning Groups (See attached list)	No					Recognized by Council Policy 600-24	
15	Consolidated Plan Advisory Board	No		26.2101 et seq.			Recognized by Council Policy 700-02	
16	Defined Contribution Trustee Board	Yes (Trust Agreement)					Master Trust Agreement	
17	Ethics Commission	No	41(d)	26.0401 et seq.				Charter authorized but not required
18	Funds Commission	Yes (Charter)	41(a)					
19	Gang Prevention and Intervention	No		26.1901 et seq.				
20	Historical Resources Board	No		111.0206				The City is not required to have an HRB under state law. However, having one that meets state requirements means the City gets funding and assistance from the state for historical resource preservation surveys and other activities. In other cities the Planning Commission also serves as the historical resources commission for the purposes of fulfilling the "Certified Local Government" status requirements.

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21	Housing Advisory and Appeals Board	Yes (State law)		98.0101 et seq.		Cal. Health & Safety Code § 17920.6; Cal. Building Code § 108.8		
22	Housing Commission	Yes (State law)		98.0301		Cal. Health & Safety Code § 34290-34293		
23	Human Relations Commission	No		26.0901 et seq.				
24	Independent Rates Oversight Committee (IROC)	No		26.2001 et seq.				
25	International Affairs Board	No		26.22 et seq.				
26	La Jolla Shores Planned District Advisory Board	No		1510.0105				
27	Library Commissioners	No		26.0301 et seq.				
28	Managed Competition Independent Review Board (MCIRB)	Yes (Charter)	117(c)	22.3701 et seq.				
29	Mission Bay Park Committee	No		26.30(g)				Also functions as the Mission Bay Park Improvement Fund Oversight Committee, required per Charter section 55.2
30	Mission Bay Park Improvement Fund Oversight Committee	Yes (Charter)	55.2	26.30(g)				Mission Bay Park Committee currently serves as this body
31	Old Town San Diego Planned District Design Review Board	No		1516.013				

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32	Otay Mesa Development Council	No		1517.0104				
33	Park and Recreation Board	No		26.30(a)				Also functions as the San Diego Regional Parks Improvement Fund Oversight Committee, required per Charter section 55.2
34	Parking Advisory Board	No		26.1801 et seq.				
35	Parking District Advisory Boards (community parking districts)	No					Authorized by Council Policy 100-18	
	Centre City	No			R-289520			
	Uptown	No			R-289521			
	Mid-City	No			R-289522			
	Old Town	No			R-300584			
	Pacific Beach	No			R-300585			
	La Jolla	No			R-300586			
36	Planning Commission	Yes (Charter)	41(c)					
37	Qualcomm Stadium Advisory Board	No		26.1302				
38	Recreation Councils (See attached list)	No					Recognized by Council Policy 700-42	
39	Redistricting Commission	Yes (Charter)	5.1					

	ADVISORY BOARD OR COMMISSION	MANDATED BY CHARTER, STATE LAW OR OTHER AUTHORITY	CHARTER SECTION	MUNICIPAL CODE SECTION(S)	RESO	STATE OR FEDERAL LAW	OTHER AUTHORITY	NOTES
40	Relocation Appeals Board	Yes (State law)		98.0302		Cal. Health & Safety Code § 33417.5		
41	Retirement System, City Employees Board of Administration (SDCERS)	Yes (Charter)	144					
42	Salary Setting Commission	Yes (Charter)	41.1					
43	San Diego Regional Parks Improvement Fund Oversight Committee	Yes (Charter)	55.2	26.30(a)				The Park & Recreation Board currently serves as this body
44	Senior Affairs Advisory Board	No		26.1502				
45	Small Business Advisory Board	No		26.06(b)				
46	Solid Waste Local Enforcement Agency Hearing (LEAH)	Yes (State law)				Cal. Publ. Res. Code § 44308		
47	Sustainable Energy Advisory Board	No		26.04				
48	Technical Advisory Committee	No						Reviews policies and regulations that impact development and advises DSD and LU&H on improvements to the regulatory process
49	Torrey Pines City Park Advisory Board	Yes (Settlement agreement)			R-302749 and R-303300		Formation required by settlement agreement with Coastal Law Enforcement Action Network	
50	Wetlands Advisory Board	No		26.1002 et seq.				
51	Youth Commission	No		26.1602 et seq.				

Updated 5/02/11

COMMUNITY PLANNING GROUPS

1. Carmel Mountain Ranch
2. Carmel Valley
3. Centre City Advisory Committee
4. City Heights
5. Clairemont Mesa
6. College Area
7. Del Mar Mesa
8. Eastern Area
9. Encanto
10. Greater Golden Hill
11. Kearny Mesa
12. Kensington-Talmadge
13. La Jolla
14. Linda Vista
15. North Bay Community Planning Group
16. Mira Mesa
17. Miramar Ranch North
18. Mission Beach
19. Mission Valley
20. Navajo
21. Normal Heights
22. North Park
23. Ocean Beach
24. Old Town San Diego
25. Otay Mesa
26. Otay Mesa-Nestor
27. Pacific Beach
28. Peninsula
29. Rancho Bernardo
30. Rancho Peñasquitos
31. Sabre Springs
32. San Pasqual Valley
33. San Ysidro
34. Scripps Miramar Ranch
35. Serra Mesa
36. Skyline Paradise Hills
37. Southeastern San Diego
38. Tierrasanta
39. Torrey Hills
40. Torrey Pines
41. University
42. Uptown

RECREATION COUNCILS

1. Adams Recreation Council
2. Allied Gardens Recreation Council
3. Azalea Recreation Council
4. Balboa Park/Morley Field Recreation Council
5. Carmel Mountain/Sabre Springs Recreation Council
6. Carmel Valley Recreation Council
7. Chollas Lake Recreation Council
8. City Heights Recreation Council
9. Colina del Sol Recreation Council
10. Doyle Recreation Council
11. Dusty Rhodes Park Recreation Council
12. Encanto Recreation Council
13. Golden Hill Recreation Council
14. Kearny Mesa Recreation Council
15. La Jolla Park & Recreation, Inc., aka La Jolla Recreation Council
16. Lake Murray Recreation Council
17. Linda Vista Recreation Council
18. Marian Bear Recreation Council
19. Martin Luther King, Jr. Recreation Council
20. Memorial Recreation Council
21. Mira Mesa Recreation Council
22. Mountain View Recreation Council
23. Nobel Recreation Council
24. North Clairemont Recreation Council
25. North Park Recreation Council
26. Ocean Air Recreation Council
27. Ocean Beach Recreation Council
28. Ocean View Hills Recreation Council (Currently Dormant)
29. Otay Mesa Recreation Council
30. Paradise Hills Recreation Council
31. Point Loma Community Recreation Council
32. Rancho Bernardo Recreation Council
33. Rancho Peñasquitos Recreation Council
34. Robb Athletic Field Recreation Council
35. Robert Egger, Sr.- South Bay Recreation Council
36. San Carlos Recreation Council
37. San Ysidro Recreation Council
38. Santa Clara/Pacific Beach Park and Recreation Council
39. Serra Mesa Recreation Council
40. Scripps Ranch Recreation Council
41. Skyline Recreation Council
42. South Clairemont Recreation Council
43. Southercrest Recreation Council
44. Standley Recreation Council
45. Stockton Recreation Council
46. Sunset Cliffs Natural Park Recreation Council

47. **Tecolote Recreation Council**
48. **Tierrasanta Recreation Council**
49. **University Heights Recreation Council**
50. **Willie Henderson Sports Complex Recreation Council**