

April 16, 1993

REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL
SAN DIEGO AREA WASTEWATER MANAGEMENT
DISTRICT ACT WEIGHTED VOTE

On April 14, 1993, the Public Facilities and Recreation Committee discussed the proposed amendments to the San Diego Area Wastewater Management District Act ("Act") relating to the weighted vote methodology. During consideration of the proposed amendments to Section 316 of the Act, the Committee discussed whether the changes would provide The City of San Diego with an automatic veto power. After reviewing Section 315 of the Act, the Committee determined that the City would not be entitled to an automatic veto.

Section 315 provides:

Any board member may call for the use of weighted voting. The call shall be seconded by a board member representing a different member agency than the board member making the call. If the call is seconded by a board member from the City of San Diego, the City of Chula Vista, or the County of San Diego, or if the call is seconded by two board members representing other member agencies, weighted voting shall be used.

Under the current formula, if the City desired to veto a measure which had passed by a roll call vote, it could call for a weighted vote. However, in order for the weighted vote to be taken, the City would have to have its motion seconded by another member agency. Thus, its veto power by virtue of a weighted vote would not be automatic.

Given the foregoing, the Committee recommended that the Act be further amended to allow the City to call for the weighted vote without requiring a second. Attached for your consideration is a draft of a proposed amendment to Section 315 of the Act

which incorporates the Committee's recommendations and the proposed amendments to Section 316 of the Act that was the subject of our April 7, 1993 Report to Council.

Respectfully submitted,

JOHN W. WITT
City Attorney

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Attachments
RC-93-22