

(O-84-32)

ORDINANCE NUMBER O- 16032 (New Series)

Adopted on SEP 12 1983

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2,
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 22.0101 RELATING TO THE
PERMANENT RULES OF THE CITY COUNCIL.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 2, Division 1 of the San Diego Municipal Code be and the same is hereby amended by amending Section 22.0101 to read as follows:

SEC. 22.0101 PERMANENT RULES OF THE COUNCIL

RULE 1. HOURS OF MEETINGS

Subsections (a) through (f) - no changes.

(g) In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the City Council may hold a special meeting without complying with the 24-hour notice requirement of this Rule. For purposes of this paragraph, "emergency situation" means any of the following: (1) Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Council; (2) Crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the Council. However, each local newspaper of general circulation and radio or television station which has requested notice of special meetings pursuant to this Rule

shall be notified by the Mayor, or designee, one hour prior to the special meeting by telephone. The Mayor, or designee, shall exhaust all telephone numbers provided in the most recent request of such newspaper or station for notification of special meetings. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the City Council, or designee thereof, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the special meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible. The City Council shall not meet in closed session during a meeting called pursuant to this paragraph. All special meeting requirements as prescribed in this Rule shall be applicable to a meeting called pursuant to this paragraph, with the exception of the 24-hour notice requirement. The minutes of a meeting called pursuant to this paragraph, a list of persons who the Mayor, or designee, notified or attempted to notify, a copy of the roll call vote, and any actions taken at such meeting shall be posted for a minimum of ten (10) days in a public place as soon after the meeting as possible.

RULE 2. No change.

RULE 3. No change.

RULE 4. SPECIAL ORDER OF BUSINESS

Requests to have an item placed on the docket, under Special Order of Business may be initiated by any individual and must be submitted in writing to the Rules

Committee. The Rules Committee shall review such requests so received and shall direct the City Clerk to list on the docket under Special Order of Business those items which it approves, by majority vote. The Rules Committee must place on the docket under Special Order of Business the written request of a Councilmember to have the full Council vote on the question of causing a matter which has been "held in committee" (see Rule 17) to be placed on the Adoption Agenda of the Council docket. In addition, a Councilmember shall have the same privilege to cause the full Council to vote on whether or not a committee decision on any matter which has not been denied by all of the five members of the committee should be set aside and the matter reheard by the entire Council as being one involving such wide community and public interest as requiring the attention of the Council itself. Such privilege shall be exercised by a Councilmember within ten (10) days of the date of a committee's decision. A vote to hear the matter by the Council shall void any prior committee decision. The matter shall be considered de novo by the Council. A vote by the Council on a matter "held in committee" (see Rule 17), or one relating to a decision of a committee, shall not be subject to a motion to reconsider and the decision of the Council shall be final forthwith. Any matter approved for rehearing or consideration by the entire Council shall be placed on the Adoption Agenda of the Council docket in a timely manner. Discussion during

meetings of the City Council of items listed on the docket as Special Order of Business shall be within the discretion of the chairperson. These items are not debatable.

RULE 5. COMMUNICATIONS REQUESTS TO COUNCIL

Communications requests may be initiated by any individual and submitted to the Rules Committee chairperson by letter or on forms provided by the City Clerk. Requests must state the subject matter and the action which the writer wishes the Council to take. The Rules Committee shall review all communication requests so received and shall direct the City Clerk to list on the Council docket, under Communications, those items which it deems, by majority vote, to be proper areas of discussion or action by the City Council. When a Communications item is listed on the docket, it is not debatable and must be either referred to an appropriate committee or other public agency, or filed. Referral to a committee may include direction to staff to prepare a report or to develop relevant information for consideration by the committee to which referral is made. When directed to be in writing, such reports shall be in the form of a memorandum to the appropriate committee.

RULE 6. ADOPTION AGENDA

The Adoption Agenda shall consist of noticed hearings and ordinances and resolutions placed on the docket for action by the Council.

The City Clerk shall identify consent items upon the docket. Any Councilmember or member of the audience may remove any item from the Consent Items portion of the Adoption Agenda by notifying the chairperson of his or her desire to do so.

The Noticed Hearings portion of the Adoption Agenda shall consist of hearings upon matters that concern specific land usages, other individual property rights or other legislative action which, by law, require individual noticed hearings.

Consent items shall be those ordinances and resolutions for which the law does not require a noticed hearing and which have been recommended by the Rules Committee or other standing committee referring the items to docket to be disposed of by a single motion as a time-saving device as being sufficiently routine or noncontroversial or as having had sufficient prior public discussion.

RULE 7. REFERRAL TO COMMITTEE

Except as otherwise provided in these rules, the Rules Committee shall have the authority to assign a resolution or an ordinance to a standing committee for further study and consideration, or to the Committee of the Whole, or to direct the City Clerk to place the resolution or ordinance directly on the Council docket for adoption. The Rules Committee shall place directly on the Council agenda, prior to assignment to any committee, any matter so requested in writing by four (4) members of the Council. Such a matter

shall be docketed for hearing at a regularly scheduled meeting of the Council within thirty (30) days thereafter. However, any matter which has been placed directly on the Council docket without first having been heard by a committee of the City Council must be referred to the appropriate committee for a hearing when so requested by three (3) members of the committee or the committee chairperson having jurisdiction over the matter. The matter shall be scheduled for hearing at a regularly scheduled meeting of the committee within thirty (30) days thereafter. Any matter shall be placed on the appropriate committee agenda upon the written request of three (3) members of that committee within thirty (30) days thereafter.

RULE 8. No change.

RULE 9. PROCEDURE FOR DEBATE

The following procedure shall be used in debating any resolution or ordinance:

A. Items Initiated by an Individual:

Subsections 1 through 5 - no changes.

6. Discussion by Councilmembers. The order of recognition of Councilmembers desiring to speak shall be determined by the chairperson in accordance with the recognition light panel. Each Councilmember shall be allowed the opportunity to speak and shall be limited to a maximum of three (3) minutes.

7. No change.

B. Items Initiated by a Committee:

No change in subsection 1.

2. Brief opening statement by the committee chairperson or his/her designee explaining and/or advocating the item (maximum of five (5) minutes).

No change in subsections 3 through 5.

6. Discussion by Councilmembers. The order of recognition of Councilmembers desiring to speak shall be determined by the chairperson in accordance with the recognition light panel. Each Councilmember shall be allowed the opportunity to speak and shall be limited to a maximum of three (3) minutes.

RULE 10. STANDING COMMITTEES CREATED

Four standing committees of the City Council are hereby created as follows:

1. Committee on Rules, Legislation and Intergovernmental Relations (herein referred to as "Rules Committee") [See Rule 18];

2. Committee on Transportation and Land Use [See Rule 19];

3. Committee on Public Facilities and Recreation [See Rule 20]; and

4. Committee on Public Services and Safety [See Rule 21].

RULE 11. COMMITTEE RULES

Except as provided in Rule 2, the permanent Rules of the Council shall govern the conduct of all committee meetings. Each committee may adopt, by a majority vote of

its entire membership, such additional rules, not in conflict with the permanent Rules of the Council, as it may deem necessary for the conduct of committee business.

RULE 12. COMMITTEE MEETINGS

Each committee shall meet at a time and place provided by schedule unless otherwise ordered by the Council.

The Rules Committee shall establish such schedules for regular meetings of the committees as will permit a full attendance of their members without conflict of committee engagements. Such schedules shall be adopted by Council resolution.

The chairperson, or a majority of the committee, may call a special meeting of the committee by giving appropriate notice, with a copy to each member of the Council personally or in writing twenty-four (24) hours prior to the meeting, specifying the purpose of the meeting, the time and place thereof, and the matters to be considered at such special meeting. No matter shall be considered at such special meeting other than that specified in the notice.

Every committee meeting of each standing committee, the Budget Review Committee and the Committee of the Whole shall be open to the public except as otherwise provided for by state law.

RULE 13. COMMITTEE APPOINTMENTS AND DUTIES OF COMMITTEE MEMBERS

The City Council shall appoint the chairperson of each committee with the exception that the Mayor shall serve as permanent chairperson of the Rules Committee. These

appointments shall be made at the same time the Deputy Mayor is selected. The Deputy Mayor shall serve as the permanent vice-chairperson of the Rules Committee. The Council shall, at that same time, make appointments of Council representatives or liaison to the various boards, committees and other organizations.

The Rules Committee shall appoint the membership of the other standing committees; provided, however, that the chairperson of each committee shall appoint, subject to Rules Committee confirmation, the vice-chairperson of his or her respective committee, with the further proviso that the Mayor and Deputy Mayor shall serve as permanent voting members of the Rules Committee.

Vacancies that may occur from time to time on any of the standing committees shall be filled as provided hereinabove.

The term for each committee appointment shall be for one year, from the first Monday in December to the day preceding the first Monday of the following December and until a successor is duly appointed and confirmed.

The Budget Review Committee shall be composed of all members of the City Council; the Mayor shall serve as chairperson and the Deputy Mayor shall serve as vice-chairperson. (See Rule 23.)

The Committee of the Whole shall be composed of all members of the City Council; the Mayor shall serve as chairperson and the Deputy Mayor shall serve as vice-chairperson. (See Rule 24.)

It is the duty of each Councilmember to attend every meeting of every committee of which he or she is a member and he or she is charged with fulfilling the responsibilities of such committees. The Council shall vacate the committee seat of any appointed committee member who is absent from four (4) consecutive scheduled committee meetings of a committee unless the absence thereof is excused by resolution of the Council.

Neither Council nor committee business shall be impeded by the absence of a member as long as a quorum is present. Members absent from a Council or committee meeting shall be required to study and review applicable material and tapes before voting thereafter on any such matters.

On those matters where a full committee or Council vote is deemed necessary, all testimony shall be taken as expeditiously as possible with a quorum present. The actual vote will be taken by the full committee or Council after absent members have had sufficient time for review of applicable material and tapes.

No member shall be excused from voting at a Council or committee meeting except on matters involving the consideration of his or her own official conduct or in which his or her own personal interests are involved.

RULE 14. TIME ESTABLISHED FOR FIRST
COMMITTEE-HEARING

The first standing committee hearing on any resolution or ordinance shall be scheduled for hearing at a regularly

scheduled meeting of the committee within thirty (30) days of referral to the committee.

RULE 15. COMMITTEE STAFF

A committee consultant from the Committee Consultant Activity of the Council Administration Division shall be assigned to each standing committee other than the Rules Committee to provide staff assistance to the committee. A committee consultant shall be assigned to the Rules Committee from the office of the Mayor. All committee consultants shall be subject to appointment and removal by the chairpersons of their respective committees. Committee consultants, in addition to the duties assigned to them by the committee, shall, when directed by the committee chairperson, prepare an objective informational analysis addressing both the policy and fiscal considerations of any matter that is reviewed by the committee. Such consultant analysis shall be attached to the resolution or ordinance when it is delivered to the Rules Committee for listing on the Adoption Agenda of the docket. All committee consultants shall cooperate fully in providing staff assistance to each standing committee during the authorized absence of any committee consultant.

RULE 16. FISCAL IMPACT DETERMINED

Before acting on any matter referred to it, a standing committee shall, through its consultant, make inquiry of the City Manager or appropriate department to determine the fiscal impact of the proposal, and those contacted by the committee consultant shall cooperate fully in providing the

information required by the committee.

RULE 17. CONDUCT OF COMMITTEE BUSINESS

Except as otherwise provided in these rules, committee hearings shall be governed as follows:

a. The chairperson shall preside at all meetings of the committee. Whenever the chairperson is absent, the vice-chairperson shall preside.

b. The chairperson shall direct the order of presentation of the arguments for and against matters for consideration by the committee, and shall permit questions to be asked by the various members of the committee in an orderly fashion and in keeping with proper decorum.

Subsection c. - no change.

d. The date for the first committee hearing on any matter shall be set as provided for in Rules 7 and 14. The committee chairperson shall set the date for any continued hearings and shall arrange the agenda for committee meetings. An agenda for each committee meeting shall be delivered by the committee chairperson or designee to the City Clerk for the purpose of public notice at least twenty-four (24) hours prior to the committee meeting.

e. A resolution or ordinance shall be reported back to the Council only if the committee makes one of the following recommendations:

1. Introduce or introduce as amended (for ordinances); or

2. Adopt or adopt as amended (for resolutions).

If the committee does report the resolution or

ordinance back to the Council by making one of these recommendations, the committee may make the additional recommendation that the resolution or ordinance be listed as a consent item on the Adoption Agenda of the Council docket, and such recommendation shall cause the City Clerk to so list the resolution or ordinance. If the full committee votes favorably on the matter, the City Clerk shall automatically list it as a consent item, unless a noticed hearing by the City Council is required or the Clerk is otherwise directed by the chairperson of the committee. [See Rule 30.]

3. Forward to the Council with no Committee recommendation.

f. A resolution or ordinance shall be deemed "held in committee" if the committee has not reported the resolution or ordinance back to the Council within thirty (30) days of the first scheduled committee hearing on the item, unless continuances of the item for greater than this 30-day period are made with the concurrence of the initiator of the item. The Council can, by majority vote, cause a resolution or ordinance which has been "held in committee" to be placed on the Adoption Agenda of the Council docket in accordance with the provision of Rule 4.

g. If the committee recommends that an ordinance be introduced as amended or that a resolution be adopted as amended, the City Attorney shall cause the amendments to be shown by interlineation and shall, if necessary, prepare an amended digest, attach it to the amended resolution or

ordinance and deliver both to the committee chairperson. The committee chairperson shall cause the resolution or ordinance, with attached digest, to be delivered to the Rules Committee for listing on the docket of the regular Council meetings. The City Clerk must list items so delivered to it on the Adoption Agenda.

Subsections h. and i. - no change.

j. On the next business day following each meeting of a standing committee, the chairperson of the standing committee shall notify the Council of the roll call votes on all actions taken at the standing committee meeting.

Subsection k. - no change.

l. The City Manager, the City Attorney, and independent department heads, or their designees, may attend all committee meetings but shall have no vote therein. The Manager, the Attorney, and independent department heads, or their designees, shall have the right to take part in discussions on matters properly before a committee relating to their respective offices, and may participate in discussions in such committee meetings when requested to do so by a member of the committee.

RULE 17.1 SPECIAL RULE WITH RESPECT TO
APPEALS TO COMMITTEES

Various sections of the San Diego Municipal Code provide for appeals to the Committees of the Council established by these Rules. Upon a decision being rendered on appeal, the chairperson of the committee shall advise all interested persons of the provisions of Rule 4 hereof.

RULE 18. COMMITTEE ON RULES, LEGISLATION
AND INTERGOVERNMENTAL RELATIONS

There is a Committee on Rules, Legislation and Intergovernmental Relations (herein referred to as "Rules Committee") composed of five (5) voting members consisting of the Mayor, the Deputy Mayor and the three (3) chairpersons of the other standing committees. The Mayor shall be permanent chairperson and the Deputy Mayor shall be vice-chairperson.

The committee shall have the responsibility to make studies and recommendations designed to promote, improve and expedite the business of the Council and the various committees thereof and to propose amendments to existing rules necessary to accomplish such purposes.

The committee shall have the responsibility to review the status of local, state, federal or other grants, awards, gifts and endowments to the City, and to recommend to the Council appropriate action on acquiring or accepting future grants or awards, gifts and endowments.

The committee shall have the responsibility to render such reports as may be required to keep Council informed concerning appropriate recommendations and implementation of policy positions with respect to proposed state and federal legislation, to develop a proposed legislative program, and to recommend specific state or federal legislation.

The committee shall have the responsibility to hold hearings on matters referred to it by its own action or by

the City Council and to act upon them as soon as practicable.

RULE 19. COMMITTEE ON TRANSPORTATION AND LAND USE

There is a Committee on Transportation and Land Use composed of five (5) voting members consisting of five (5) Councilmembers appointed in accordance with the provisions of Rule 13.

The committee shall have the responsibility, if requested by the Council, to ascertain facts and to annually make recommendations to the Budget Review Committee concerning that portion of the City's operating and capital budget pertaining to Transportation and Land Use as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to ascertain facts and to make recommendations to the Council concerning that portion of the City's operations pertaining to Transportation and Land Use as may be assigned pursuant to Rule 22.

The committee shall also have the responsibility to hold hearings on matters referred to it and to act upon them as soon as practicable.

RULE 20. COMMITTEE ON PUBLIC FACILITIES AND RECREATION

There is a Committee on Public Facilities and Recreation composed of five (5) voting members consisting of five (5) Councilmembers appointed in accordance with the provisions of Rule 13.

The committee shall have the responsibility, if

requested by the Council, to ascertain facts and to annually make recommendations to the Budget Review Committee concerning that portion of the City's operating and capital budget pertaining to Public Facilities and Recreation as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to ascertain facts and to make recommendations to the Council concerning that portion of the City's operations pertaining to Public Facilities and Recreation as may be assigned pursuant to Rule 22.

The committee shall also have the responsibility to hold hearings on matters referred to it and to act upon them as soon as practicable.

RULE 21. COMMITTEE ON PUBLIC SERVICES AND SAFETY

There is a Committee on Public Services and Safety composed of five (5) voting members consisting of five (5) Councilmembers appointed in accordance with the provisions of Rule 13.

The committee shall have the responsibility, if requested by the Council, to ascertain facts and to annually make recommendations to the Budget Review Committee concerning that portion of the City's operating and capital budget pertaining to Public Services and Safety as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to ascertain facts and to make recommendations to the Council concerning that portion of the City's operations pertaining

to Public Services and Safety as may be assigned pursuant to Rule 22.

The committee shall also have the responsibility to hold hearings on matters referred to it and to act upon them as soon as practicable.

RULE 22. ASSIGNMENT OF MATTERS
TO COMMITTEE

Matters to be considered by the several standing committees shall be assigned by the Committee on Rules, Legislation and Intergovernmental Relations in keeping with the general areas of responsibility and the workload of each committee.

RULE 23. BUDGET REVIEW COMMITTEE CREATED

There is hereby created the Budget Review Committee composed of all members of the City Council. The Mayor shall serve as chairperson of this special committee and the Deputy Mayor shall serve as vice-chairperson.

This special committee shall have the responsibility to analyze, study and evaluate the estimates of required expenditures proposed for inclusion in the Annual Appropriation Ordinance. The committee shall have the further responsibility of reviewing and evaluating the tentative Capital Improvements Program.

Annual budget review meetings shall be set in accordance with California Government Code, section 54954, during the ten (10) weeks immediately preceding the introduction of the Annual Appropriation Ordinance. The Budget Review Committee shall review any budget

recommendations of the various standing committees of the Council.

The Mayor, or in his absence, the Deputy Mayor, or in the absence of both, the immediate past Deputy Mayor may call a special meeting of the Budget Review Committee in accordance with the provisions of Government Code section 54956.

RULE 24. COMMITTEE OF THE WHOLE CREATED

There is hereby created a special Committee of the Whole composed of all members of the City Council. The Mayor shall serve as chairperson and the Deputy Mayor shall serve as vice-chairperson.

This special committee shall have the responsibility to analyze, study and evaluate a proposed resolution or ordinance, or to hold fact finding hearings, on any subject concerning City government that is beyond the scope of responsibility of any one standing committee or is adjudged by the Rules Committee to be more properly a concern of the entire Council.

Proposals relating to revenue and taxation shall be referred by the Rules Committee to the Committee of the Whole.

Proposals for City action in cooperation with other local government entities including any actions to be taken on a regional basis, shall be referred by the Rules Committee to the Committee of the Whole.

The Mayor, or in his absence, the Deputy Mayor, or in the absence of both, the immediate past Deputy Mayor may call a special meeting of the Committee of the Whole in accordance with the provisions of Government Code section 54956.

Matters may be set for a hearing of the Committee of the Whole by the Rules Committee or upon a motion adopted by the City Council at a regular meeting.

RULE 25. INITIATION OF RESOLUTIONS AND ORDINANCES BY COUNCILMEMBERS

Except as otherwise provided for by the City Charter, by these Rules, by other ordinances or by state law, only a member of the City Council can initiate a resolution or ordinance by Request for Council Action (form 1472).

RULE 26. INITIATION OF RESOLUTIONS AND ORDINANCES BY COMMITTEES

Any committee may initiate a resolution or ordinance germane to any subject within the proper consideration of such committee in the same manner as an individual Councilmember.

RULE 27. INITIATION OF RESOLUTIONS AND ORDINANCES BY THE CITY ATTORNEY, THE CITY MANAGER OR OTHER INDEPENDENT DEPARTMENT HEAD

Requests for Council action may be initiated by the City Attorney or City Manager, or any other independent department head for any matter that is germane to his or her official duties as prescribed by law. Resolutions or ordinances drafted in accordance with such requests shall be assigned by the Rules Committee to the Adoption Agenda

or referred to committee in the same way as all other resolutions or ordinances.

Any resolution or ordinance on which action of the Council is mandatory under any federal, state or local law shall be placed on the Adoption Agenda by the City Clerk without further action of the Rules Committee. Such matters include but are not limited to the following:

- a. Request for a change in zoning;
- b. Request for approval of a final map;
- c. An appeal from any administrative or quasi-judicial decision as permitted under the Charter, state law or ordinance of the City; and
- d. Any noticed hearing such as is involved in 1911 or 1913 Act proceedings.

Such resolution or ordinance shall be prepared and delivered by the City Attorney in accordance with Rule 28. A copy thereof shall be delivered by the City Attorney to the Rules Committee for information in accordance with Rule 29.

RULE 28. PREPARATION OF RESOLUTION
OR ORDINANCE

Upon receiving a Request for Council Action (form 1472) initiated in accordance with Rules 25, 26 and 27, the City Attorney shall prepare a resolution or ordinance as requested and shall affix a City Attorney control number thereto for purposes of identification of the document. The City Attorney shall also prepare a digest showing any changes in the existing law which are proposed by the resolution or ordinance. The City Attorney shall then

cause the completed document, with digest attached, to be delivered to the official who originated the form 1472. If more than one official signed the form 1472, he shall cause the completed document, with digest attached, to be delivered to the first signatory.

It will be the responsibility of the originating official to ensure the completeness of documentation accompanying the resolution or ordinance.

RULE 29. DELIVERY OF RESOLUTION OR
ORDINANCE TO RULES COMMITTEE

The official who originated the form 1472 shall cause the resolution or ordinance, with attached digest, and any other supporting materials, prepared in accordance with Rule 28, to be delivered to the Rules Committee no later than 5:00 p.m. on Thursday for listing on the docket of the regular Council meetings to be held during the week following the next succeeding week or, at the discretion of the Rules Committee, the week thereafter.

Ordinances or resolutions that are reported out of committee in accordance with Rule 17 shall be delivered to the Rules Committee by the committee chairperson by 5:00 p.m. on Thursday for listing on the docket of the regular Council meetings to be held during the week following the next succeeding week or, at the discretion of the Rules Committee, the week thereafter.

RULE 30. PREPARATION OF THE
COUNCIL DOCKET

Only those resolutions or ordinances that have been prepared and delivered in accordance with Rules 28 and 29 shall be listed on the docket.

Each resolution or ordinance so prepared and so delivered shall be reviewed and shall be assigned to the Adoption Agenda to one of the categories enumerated below:

- a. Consent items
- b. Noticed Hearings
- c. Other ordinances and resolutions.

Each item on a noticed hearing must be assigned to the Noticed Hearing portion of the Adoption Agenda.

Each ordinance or resolution that is reported out of committee in accordance with Rule 17 must be assigned to the Adoption Agenda.

In assigning every other ordinance or resolution to one of these categories, preference should be given to listing purchasing items and routine business resolutions on the Adoption Agenda, and usually as Consent Items on the Adoption Agenda. Any item considered in committee and reported out with five (5) affirmative votes shall, unless otherwise specified by the chairperson, be placed on the consent agenda except those items for which a noticed hearing is required.

In assigning every other ordinance or resolution, preference should be given to referring the item to a standing committee or the Committee of the Whole when it would do any of the following: (1) support or oppose state or federal legislation; (2) result in a substantial expenditure of City money; (3) result in a substantial loss of revenue to the City; (4) result in a substantial reduction of expenditures of City money by reducing,

transferring or eliminating any existing responsibilities of the City; (5) appropriate money; or (6) add to, modify or abolish existing City policy.

The docket prepared as above and any items under Special Order of Business, together with all resolutions and ordinances prepared in accordance with Rule 28 and delivered in accordance with Rule 29, shall be delivered to the City Clerk by 10:00 a.m. each Friday for listing on the docket of the regular meeting or meetings of the City Council to be held during the week following the next succeeding week and the Clerk shall so list the items. Additionally, any item may be set for a time certain hearing.

The City Clerk shall arrange the docket in proper printed format and cause the docket to be prepared and distributed for public notice by 10:00 a.m. each Wednesday preceding the regular meetings of the full Council to be held the following week.

Notwithstanding the above provisions, there may be listed on the Adoption Agenda of the Council docket an ordinance or resolution that has been initiated in accordance with Rules 25, 26 and 27 but which has not been prepared and delivered in accordance with Rules 28 and 29, if the City Attorney certifies in writing to the Rules Committee that an ordinance or resolution will be prepared and delivered by the City Attorney to the City Clerk prior to the time the item is considered on the Adoption Agenda of the Council docket.

Notwithstanding the above provisions, the Council, at a regular meeting, or the Rules Committee may direct the City Clerk to list a resolution or ordinance on a supplemental docket for the next regular Council meeting if the City Attorney certifies to the City Clerk that an ordinance or resolution has been prepared or will be prepared and delivered to the City Clerk prior to the time the item is considered at the regular Council meeting.

All docket preparation functions in these rules assigned to the Rules Committee shall be construed to be assigned to the Rules Committee Chairperson.

RULE 31. TEMPORARY RULES

The Rules Committee may, at any time, place on the Adoption Agenda of the docket a resolution establishing a temporary rule. Upon adoption by the Council, the temporary rule shall have the effect, for the time being, of a standing rule. If such temporary rule is in conflict with a permanent rule, it shall supersede such permanent rule only for the day on which it was adopted or for such greater period as may be specified in that temporary rule.

RULE 32. SUSPENSION OF RULES

Any permanent rule of the Council may be suspended temporarily by a vote of two-thirds (2/3) of the Council members, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

RULE 33. AMENDING PERMANENT RULES

No permanent rule of the Council shall be amended except by ordinance adopted by the Council.

No such ordinance shall be considered by the Council until it shall have been referred to the Rules Committee.

RULE 34. EXISTING PROCEDURES PRESERVED

The following procedures of the City Council contained in the Council Policy Manual are and the same shall be continued in full force and effect:

| No. | Title | Effective Date |
|--------|---|----------------|
| 006 | Reconsideration of Closed Hearings | 12-30-69 |
| 000-11 | Appeals from Decision of the Police Chief Relative to Police Regulated Business | 12-10-79 |
| 000-13 | Procedure for Mayor and Council Appointments | 04-25-83 |
| 000-15 | Complaints Alleging Misconduct on the part of a City Employee or Officer | 1-11-73 |

Section 2. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By Jack Katz
Jack Katz
Chief Deputy City Attorney

JK:smm
8/22/83
O-84-32
Or.Dept:Rules
Form=o.none

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ARTICLE 2 – ADMINISTRATIVE CODE

DIVISION 1 – THE COUNCIL

SEC. 22.0101 PERMANENT RULES OF THE COUNCIL

Rule 1. Hours of Meetings

(a) The regular weekly meetings of the City Council shall be scheduled as follows:

| | |
|---------|-----------------------|
| Monday | 2:00 p.m. – 5:30 p.m. |
| Tuesday | 9:00 a.m. – 5:30 p.m. |

(b) A single docket covering the regular Council meetings each week shall be published.

(c) The time of a meeting may be extended beyond the time specified above by two-thirds (2/3) vote of the members of the Council.

(d) Regular Council meetings shall be held in the Council Chambers of the City Administration Building, Community Concourse, in the City of San Diego, California. In the event a regular meeting shall fall on a legal holiday, the meeting may be held on the next business day.

(e) The Council may by resolution, when necessary, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Such resolution shall be published once in the City official newspaper at least twenty-four (24) hours prior to the meeting to be held pursuant to such change. Twenty-four hours prior to the meeting to be held pursuant to such change, the City Clerk shall give each Councilman written notice, personally or by registered mail, of any change from the regular meeting days established by this section.

(f) A special meeting may be called at any time by the Mayor or by a majority of the members of the Council by delivering personally or by mail written notice to each member of the Council and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by the Council. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the City Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(g) In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the City Council may hold a special meeting without complying with the 24-hour notice requirement of this Rule. For purposes of this paragraph, "emergency situation" means any of the following: (1) Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Council; (2) Crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the Council. However, each local newspaper of general circulation and radio or television station which has requested notice of special meetings pursuant to this Rule shall be notified by the Mayor, or designee ~~thereof~~, one hour prior to the special meeting by telephone ~~and~~ shall exhaust all telephone numbers provided in the most recent request of such newspaper or station for notification of special meetings. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the City Council, or designee thereof, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the special meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible. The City Council shall not meet in ~~executive~~ session during a meeting called pursuant to this paragraph. All special meeting requirements as prescribed in this Rule shall be applicable to a meeting called pursuant to this paragraph, with the exception of the 24-hour notice requirement. The minutes of a meeting called pursuant to this paragraph, a list of persons who the Mayor, or designee ~~thereof~~, notified or attempted to notify, a copy of the roll call vote, and any actions taken at such meeting shall be posted for a minimum of ten (10) days in a public place as soon after the meeting as possible.

Rule 2. Parliamentary Procedure

In all cases not provided for by these Rules or by other ordinance or resolution, the authority shall be Robert's Rules of Order Newly Revised.

Rule 3. Procedure for Council Meetings

The order of business for Council meetings shall be as follows:

Monday Meeting at 2:00 p.m.

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Special Orders of Business
4. Requests for Continuances

5. Communications
6. Adoption Agenda
 - (a) Consent Items
 - (b) Committee Items
 - (c) Other Legislative Items
7. Public Notices
8. Unanimous Consent
9. Adjournment

Tuesday Meeting at 9:00 a.m.

1. Roll Call
2. Requests for Continuance
3. Adoption Agenda
 - (a) Noticed Hearings (to be scheduled at various times throughout the day by the City Clerk based on the number of hearings and reasonable expectation of length) and Special Hearings
 - (b) Unfinished Business from Monday Meeting
4. Unanimous Consent
5. Adjournment

Rule 4. Special Order of Business

Requests to have an item placed on the docket under Special Order of Business may be initiated by any individual and must be submitted in writing to the Rules Committee. The Rules Committee shall review such requests so received and shall direct the City Clerk to list on the docket under Special Order of Business those items which it approves, by majority vote. The Rules Committee must place on the docket under Special Order of Business the written request of a Council member to have the full Council vote on the question of causing a ~~resolution or ordinance~~ which has been held in committee to be placed on the Adoption Agenda of the Council docket. In addition, a Council member shall have the same privilege to cause the full Council to vote on whether or not a committee decision on any ~~application or appeal~~ which has not been denied by all of the five members of the committee should be set aside and the ~~application or appeal~~ reheard by the entire Council as being one involving such wide community and public interest as requiring the attention of the Council itself. Such privilege shall be exercised by a Council member within ten (10) days of the date of a committee's decision. A vote to hear the ~~application or appeal~~ by the Council shall void any prior committee decision. The ~~application or appeal~~ shall be considered de novo by the Council. A vote by the Council on a ~~resolution or ordinance~~ held in committee, or one relating to a decision of a committee ~~on an application or appeal~~, shall not be subject to a motion to reconsider and the decision of the Council on an application or appeal shall be final forthwith. Any matter approved for rehearing or consideration by the entire Council shall be placed on the Adoption Agenda of the Council docket ~~during the next succeeding week~~. Discussion during meetings of the City Council of items listed on the docket as Special Order of Business shall be within the discretion of the chairman. These items are not debatable.

Rule 5. Communications

Communications requests may be initiated by any individual and submitted to the Rules Committee by letter or on forms provided by the ~~Rules Committee~~ and must state the subject matter and the action which the writer wishes the Council to take. The Rules Committee shall review all communication requests so received and shall direct the City Clerk to list on the Council docket under Communications those items which it deems, by majority vote, to be proper areas of discussion or action by the City Council. When a Communications item is listed on the docket, it is not debatable and must be either referred to an appropriate committee or other public agency, or filed. Referral to a committee may include direction to staff to prepare a report or to develop relevant information for consideration by the committee to which referral is made. When directed to be in writing, such reports shall be in the form of a memorandum to ~~Mayer and~~ Council.

Rule 6. Adoption Agenda

The Adoption Agenda shall consist of noticed hearings, and ordinances and resolutions placed on the docket for action by the Council.

The City Clerk shall ~~enumerate~~ consent items upon the docket. Any Council member or member of the audience may remove any item from the Consent Items portion of the Adoption Agenda by notifying the chairman of his desire to do so.

The Noticed Hearings portion of the Adoption Agenda shall consist of hearings upon matters that concern specific land usages ~~or~~ other individual property rights which, by law, require individual noticed hearings.

Consent items shall be those ordinances and resolutions for which the law does not require a noticed hearing and which have been recommended by the Rules Committee or other standing committee referring the items to docket to be disposed of by a single motion as a time-saving device as being sufficiently routine or noncontroversial or as having had sufficient prior public discussion.

Rule 7. Referral To Committee

Except as otherwise provided in these rules, the Rules Committee shall have authority to assign a resolution or an ordinance to a standing committee for further study and consideration, or to the Committee of the Whole, or to direct the City Clerk to place the resolution or ordinance directly on the Council docket for adoption.

Rule 8. Unanimous Consent Items

A *Unanimous Consent item* shall be considered at a regular meeting of the City Council only upon the prior written consent of each member of the Council present at the meeting. Unanimous Consent items should usually be limited to resolutions of adjournment, communications by visiting officials and items requiring immediate Council action in order to avoid loss of opportunity or injury to the interest of the City.

Rule 9. Procedure for Debate

The following procedure shall be used in debating any resolution or ordinance:

A. Items Initiated by an Individual

1. Motion and second.
2. Brief opening statement by the proponent Initiator explaining and advocating the item (*maximum of five (5) minutes*).
3. Staff report, if any, by the appropriate staff members and relevant questions thereon by Council members limited to five (5) minutes with the right of any other member to yield all or a portion of such member's time.
4. Testimony by members of the public who support the item (maximum of fifteen (15) minutes total for all proponents).
5. Testimony by members of the public who oppose the item (maximum of fifteen (15) minutes total for all opponents).
6. Discussion by Council members. The order of recognition of Council members desiring to speak ~~other than the Council member who authored the item~~ shall be determined by the chairman in accordance with the recognition light panel. Each Council member shall be allowed one opportunity only to speak and shall be limited to a maximum of three (3) minutes.
7. Brief closing statement by the proponent Initiator (maximum of five (5) minutes).

B. Items Initiated by a Committee

1. Motion and second.
2. Brief opening statement by the committee chairman or his designee explaining and/or advocating the item (maximum of five (5) minutes).
3. Staff report, if any, by the appropriate staff members and relevant questions thereon by Council members, limited to five (5) minutes with the right of any other member to yield all or a portion of such member's time.
4. Testimony by members of the public who support the item (maximum of fifteen (15) minutes total for all proponents).
5. Testimony by members of the public who oppose the item (maximum of fifteen (15) minutes total for all opponents).
6. Discussion by Council members. The order of recognition of Council members desiring to speak shall be determined by the chairman in accordance with the recognition light panel. Each Council member shall be allowed ~~one~~ opportunity ~~only~~ to speak and shall be limited to a maximum of three (3) minutes.

~~Notwithstanding any other Rule to the contrary, this Rule applies only to regular Council meetings and not to meetings of Council committees.~~

Rule 10. Standing Committees Created

Four standing committees of the City Council are hereby created ~~upon the several subjects and are numbered respectively~~ as follows:

1. Committee on Rules, Legislation and Intergovernmental Relations (herein referred to as "Rules Committee");
2. Committee on Transportation and Land Use;
- ~~3.~~ Committee on Public Services and Safety; and
- ~~4.~~ Committee on Public Facilities and Recreation.

Rule 11. Committee Rules

The permanent Rules of the Council shall govern the conduct of all committee meetings. Each committee may adopt, by a majority vote of its entire membership, such additional rules, not in conflict with the permanent Rules of the Council, as it may deem necessary for the conduct of committee business.

Rule 12. Committee Meetings

Each committee shall meet at a time and place provided by schedule unless otherwise ordered by the Council.

The Rules Committee shall establish such schedules for regular meetings of the committees as will permit a full attendance of their members without conflict of committee engagements. Such schedules shall be adopted by Council resolution.

The chairman, or a majority of the committee, may call a special meeting of the committee by ~~obtaining the concurrence of the Chairman of the Rules Committee and by giving notice to each member of the committee either~~ personally or in writing twenty-four (24) hours prior to the meeting specifying the purpose of the meeting, the time and place thereof, and the matters to be considered at such special meeting. No matter shall be considered at such special meeting other than that specified in the notice.

Every committee meeting of each committee, the Budget Review Committee and the Committee of the Whole shall be open to the public except as provided for by state law.

Rule 13. Committee Appointments and Duties of Committee Members

The City Council shall appoint the chairman of each committee with the exception that the Mayor shall serve as permanent chairman of the Rules Committee. These appointments shall be made at the same time the Deputy Mayor is selected. The Deputy Mayor shall serve as the permanent vice-chairman of the Rules Committee. The Council shall, at that same time, make appointments as Council representative or liaison to the various boards, committees and other organizations.

The Rules Committee shall appoint the membership of the other standing committees; provided, however, that the Chairman of each committee shall appoint, subject to Rules Committee confirmation, the vice-chairman of his or her respective committee, with the further proviso that the Mayor and Deputy Mayor shall serve as permanent voting members of the Rules Committee.

Vacancies that may occur from time to time on any of the standing committees shall be filled as provided hereinabove.

The term for each committee appointment shall be for one year, from the first Monday in December to the day preceding the first Monday of the following December and until a successor is duly appointed and confirmed.

The Budget Review Committee shall be composed of all members of the City Council; the Mayor shall serve as chairman and the Deputy Mayor shall serve as vice-chairman. (See Rule 23.)

The Committee of the Whole shall be composed of all members of the City Council; the Mayor shall serve as chairman and the Deputy Mayor shall serve as vice-chairman. (See Rule 24.)

It is the duty of a Council member to attend every meeting of every committee of which he is a member and he is charged with fulfilling the responsibilities of such committees. The Council shall vacate the committee seat of any appointed committee member who is absent from ~~eight (8) consecutive meetings or fifty percent (50%) of the~~ scheduled committee meetings of a committee ~~within a month~~ unless the absence thereof is excused by resolution of the Council.

Neither Council nor committee business shall be impeded by the absence of a member as long as a quorum is present. Members absent from a Council or committee meeting shall be required to study and review applicable material and tapes.

On those matters where a full committee or Council vote is deemed necessary, all testimony shall be taken as expeditiously as possible with a quorum present. The actual vote will be taken by the full committee or Council after absent members have had sufficient time for review.

No member shall be excused from voting at a Council or committee meeting except on matters involving the consideration of his own official conduct or in which his own personal interests are involved.

All members shall devote full time to matters directly connected with councilmanic business, unless excused by Council resolution.

Rule 14. Time Established for First Committee Hearing

The first standing committee hearing on any resolution or ordinance shall be ~~held at the first or second regular meeting of the standing committee following referral by the Rules Committee.~~

Rule 15. Committee Staff

A committee consultant from the Committee Consultant Activity of the Councilmanic Administration Division shall be assigned to each standing committee to provide staff assistance to the committee. ~~The Rules Committee Consultant shall be appointed by the Mayor and confirmed by the Rules Committee and at all times be subject to removal by three affirmative votes of the Rules Committee.~~

~~Committee Consultants to the other standing committees shall be appointed by the chairman of the respective committee, and be confirmed by a majority vote of the respective committee, provided, however, that such committee consultant may be removed by three affirmative votes of the respective committee.~~ The committee consultant, in addition to the duties assigned to him by the committee, shall prepare an objective informational analysis addressing both policy and fiscal considerations of ~~each resolution or ordinance that is referred to the committee, and~~ such consultant analysis shall be attached to the resolution or ordinance when it is delivered to the Rules Committee for listing on the Adoption Agenda of the docket. All committee consultants shall cooperate fully to provide staff assistance to each standing committee during the authorized absence of any committee consultant.

Rule 16. Fiscal Impact Determined

Before acting on any ~~resolution or ordinance~~ referred to it ~~by the Rules Committee~~, a standing committee shall, through its consultant, make inquiry of the City Manager or appropriate department to determine the fiscal impact of the proposal, and those contacted by the committee consultant shall cooperate fully in providing the information required by the committee.

Rule 17. Conduct of Committee Business

Except as otherwise provided in these rules, committee hearings shall be governed as follows:

a. The chairman shall preside at meetings of the committee ~~except when the committee is considering a resolution or ordinance of which he is the sole author or principal author. Whenever the chairman is not presiding, the vice-chairman shall assume the duties of the chairman.~~

b. The chairman shall direct the order of presentation of the arguments for and against matters for consideration by the committee, and shall permit questions to be asked by the various members of the committee in an orderly fashion and in keeping with proper decorum.

c. A majority of the membership of the committee shall constitute a quorum for the transaction of business, including the decision to recommend the adoption of any amendments to a resolution or ordinance. A majority of all members constituting the committee, however, shall be required to report a resolution or ordinance out of committee.

d. The date for the first committee hearing on any ~~ordinance or resolution~~ shall be set as provided for in Rule 14. The committee chairman shall set the date for any continued hearings and shall arrange the agenda for committee meetings. An agenda for each committee meeting shall be delivered by the committee chairman to the City Clerk for the purpose of public notice at least 24 hours prior to the committee meeting.

e. A resolution or ordinance shall be reported back to the Council only if the committee makes one of the following recommendations:

1. Introduce or introduce as amended (for ordinances); or

2. Adopt or adopt as amended (for resolution). If the committee does report the resolution or ordinance back to the Council by making one of these recommendations, the committee may make the additional recommendation that that the resolution or ordinance be listed as a consent item on the Adoption Agenda of the Council docket, and such recommendation shall cause the City Clerk to so list the resolution or ordinance. If the full committee votes favorably on the matter, the City Clerk shall automatically list it as a consent item, unless a noticed hearing by the City Council is required. (See Rule 30.)

f. ~~A resolution or ordinance shall be held in committee for further study or shall be filed if the committee does not make one of the following recommendations:~~

~~1. Introduce or introduce as amended (for ordinances); or~~

~~2. Adopt or adopt as amended (for resolution). Provided, however, that the Council can by a majority vote cause a resolution or ordinance which has been held in committee to be placed on the Adoption Agenda of the Council docket.~~ A resolution or ordinance shall be deemed "held in committee" if the committee has not reported the resolution or ordinance back to the Council within thirty (30) days of the first committee hearing on the item, unless continuances of the item for greater than this 30-day period are made with the concurrence of the initiator of the item.

g. If the committee recommends that an ordinance be introduced as amended or that a resolution be adopted as amended, the City Attorney shall cause the amendments to be shown by interlineation and shall prepare an amended digest, attach it to the amended resolution or ordinance, and deliver both to the committee chairman. The committee chairman shall cause the resolution or ordinance, with attached digest, to be delivered to the Rules Committee for listing on the docket of the regular Council meetings. The Rules Committee must list items so delivered to it on the Adoption Agenda.

h. The City Clerk or his designee shall keep a complete record of the meetings and actions taken by the committee.

i. When the committee takes action on a resolution or ordinance, the vote shall be by roll call vote only. All roll call votes shall be recorded by the City Clerk and shall appear thereafter on the Council docket in explanation of the item whenever the item appears on the Council docket.

j. On the next business day following each meeting of a standing committee, other than the Rules Committee, the chairman of the standing committee shall notify the ~~Rules Committee by memorandum or on forms provided by the Rules Committee~~ of the roll call votes on all actions taken at the standing committee meeting.

k. No action shall be taken on any measure outside of a duly constituted committee meeting.

l. The City Manager, the City Attorney, and independent department heads, or their designees, may attend all committee meetings but shall have no vote therein. The Manager, the Attorney, and independent department heads, or their designees, shall have the right to take part in discussions on matters properly before a committee relating to their respective offices, or may participate in discussions in such committee meetings when requested to do so by a member of the committee.

Rule 17.1 Special Rule with respect to Appeals to Committees

Sections 33.0502, 35.0110, 57.01.7, 62.0413, 72.0216(g) and 102.0221, paragraph 7 provide for appeals to the Committees of the Council established by these Rules. Upon a decision being rendered on appeal, the Chairman of the Committee shall advise all interested persons of the provisions of Rule 4 hereof.

Rule 18. Committee on Rules, Legislation and Intergovernmental Relations

There is a Committee on Rules, Legislation and Intergovernmental Relations (herein referred to as "Rules Committee") composed of five (5) voting members consisting of the Mayor, the Deputy Mayor and the three (3) chairmen of the other standing committees. The Mayor shall be permanent chairman and the Deputy Mayor shall be vice-chairman.

The committee shall have the responsibility to make studies and recommendations designed to promote, improve and expedite the business of the Council and the various committees thereof and to propose amendments to existing rules necessary to accomplish such purposes.

The committee shall have the responsibility to review the status of local, state, federal or other grants, awards, gifts and endowments to the City, and to recommend to the Council action on acquiring or accepting future grants or awards, gifts and endowments.

The committee shall have the responsibility to render such reports as may be required to keep Council informed concerning appropriate recommendations and implementation of policy positions with respect to proposed state and federal legislation, to develop a proposed legislative program, and to recommend specific state or federal legislation.

~~The committee shall have the responsibility to direct the City Clerk in the preparation of the Council docket. In fulfilling this responsibility, the committee shall insure that all resolutions and ordinances are:~~

- ~~1. Initiated in accordance with Rules 25, 26 and 27.~~
- ~~2. Prepared in accordance with Rule 28;~~
- ~~3. Delivered to the Rules Committee in accordance with Rule 29; and~~
- ~~4. Placed on the docket in accordance with Rule 30.~~

The committee shall have the responsibility to hold hearings on ~~resolutions and ordinances~~ assigned to it by its own action or by the City Council and to act upon them as soon as practicable ~~and to report them back to the Council with or without amendments.~~

Rule 19. Committee on Transportation and Land Use

There is a Committee on Transportation and Land Use composed of five (5) voting members consisting of five (5) Council members appointed in accordance with the provisions of Rule 13.

The committee shall have the responsibility, if requested by the Council, to ascertain facts and to annually make recommendations to the Budget Review Committee concerning that portion of the City's operating and capital budget pertaining to Transportation and Land Use as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to ascertain facts and to make recommendations to the Council concerning that portion of the City's operations pertaining to Transportation and Land Use as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to hold hearings on ~~resolutions and ordinances~~ assigned to it by the Rules Committee or City Council and to act upon them as soon as practicable ~~and to report them back to the Council with or without amendments.~~

Rule 20. Committee on Public Facilities and Recreation

There is a Committee on Public Facilities and Recreation composed of five (5) voting members consisting of five (5) Council members appointed in accordance with the provisions of Rule 13.

The committee shall have the responsibility, if requested by the Council, to ascertain facts and to annually make recommendations to the Budget Review Committee concerning that portion of the City's operating and capital budget pertaining to Public Facilities and Recreation as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to ascertain facts and to make recommendations to the Council concerning that portion of the City's operations pertaining to Public Facilities and Recreation as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to hold hearings on ~~resolutions and ordinances~~ assigned to it by the Rules Committee or City Council and to act upon them as soon as practicable ~~and to report them back to the Council with or without amendments.~~

Rule 21. Committee on Public Services and Safety

There is a Committee on Public Services and Safety composed of five (5) voting members consisting of five (5) Council members appointed in accordance with the provisions of Rule 13.

The committee shall have the responsibility, if requested by the Council, to ascertain facts and to annually make recommendations to the Budget Review Committee concerning that portion of the City's operating and capital budget pertaining to Public Services and Safety as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to ascertain facts and to make recommendations to the Council concerning that portion of the City's operations pertaining to Public Services and Safety as may be assigned pursuant to Rule 22.

The committee shall have the responsibility to hold hearings on ~~resolutions and ordinances assigned to it by the Rules Committee or City Council~~ and to act upon them as soon as practicable ~~and to report them back to the Council with committee amendments.~~

Rule 22. Division of City Budget and Operations

Matters to be considered by the several standing committees shall be assigned by the Committee on Rules, Legislation and Intergovernmental Relations in keeping with the general areas of responsibility and the workload of each committee.

Rule 23. Budget Review Committee Created

There is hereby created the Budget Review Committee composed of all members of the City Council. The Mayor shall serve as chairman of this special committee and the Deputy Mayor shall serve as vice-chairman.

This special committee shall have the responsibility to analyze, study and evaluate the estimates of required expenditures proposed for inclusion in the Annual Appropriation Ordinance. The committee shall have the further responsibility of reviewing and evaluating the tentative Capital Improvements Program.

Annual budget review meetings shall be set in accordance with California Government Code, Section 54954, during the ten (10) weeks immediately preceding the introduction of the Annual Appropriation Ordinance. The Budget Review Committee shall review any budget recommendations of the various standing committees of the Council.

~~The chairman of the Rules Committee, or in his absence the vice chairman of the Rules Committee, or in the absence of the chairman and the vice chairman, the immediate past vice chairman of the Rules Committee,~~ may call a special meeting of the Budget Review Committee in accordance with the provisions of Government Code, Section 54956.

Rule 24. Committee of the Whole Created

There is hereby created a special Committee of the Whole composed of all members of the City Council. The Mayor shall serve as chairman and the Deputy Mayor shall serve as vice-chairman.

This special committee shall have the responsibility to analyze, study and evaluate a proposed resolution or ordinance, or to hold fact finding hearings, on any subject concerning the City government that is beyond the scope of responsibility of any one standing committee or is adjudged by the Rules Committee to be more properly a concern of the entire Council.

Proposals relating to revenue and taxation shall be referred by the Rules Committee to the Committee of the Whole.

Proposals for City action in cooperation with other local government entities including any actions to be taken on a regional basis, shall be referred by the Rules Committee to the Committee of the Whole.

~~The chairman of the Rules Committee, or in his absence the vice chairman of the Rules Committee, or in the absence of both the chairman and the vice chairman, the immediate past vice chairman of the Rules Committee,~~ may call a special meeting of the Committee of the Whole in accordance with the provisions of Government Code, Section 54956.

Matters may be set for a hearing of the Committee of the Whole by the Rules Committee either as provided ~~for by Rule 7~~ or upon a motion adopted by the City Council at a regular meeting ~~to refer to the Rules Committee for the purpose of setting a hearing of the Committee of the Whole.~~

Rule 25. Initiation of Resolutions and Ordinances by Council Members

Except as otherwise provided for by the City Charter, by these Rules, by other ordinances or by state law, only a member of the City Council can initiate a resolution or ordinance by Request for Council Action (form 1472).

Rule 26. Initiation of Resolutions and Ordinances by Committee

Any committee may initiate a resolution or ordinance germane to any subject within the proper consideration of such committee in the same manner as an individual Council member.

Rule 27. Initiation of Resolutions and Ordinances by the City Attorney, the City Manager or Other Independent Department Heads

Requests for Council action may be initiated by the City Attorney or City Manager, or any other independent department head for any matter that is germane to his official duties as prescribed by law. Resolutions or ordinances drafted in accordance with such requests shall be assigned by the Rules Committee to the Adoption Agenda or referred to committee in the same way as all other resolutions or ordinances.

Any resolution or ordinance on which action of the Council is mandatory under any federal, state or local law shall be placed on the Adoption Agenda by the City Clerk without further action of the Rules Committee. Such matters include but are not limited to the following:

- a. Request for a change in zoning;
- b. Request for approval of a final map;
- c. An appeal from any administrative or quasi-judicial decision as permitted under the Charter, state law or ordinances of the City; and
- d. Any noticed hearing as is involved in 1911 or 1913 Act proceedings.

Such resolution or ordinance shall be prepared and delivered by the City Attorney in accordance with Rule 28. A copy thereof shall be delivered by the City Attorney to the Rules Committee for information in accordance with Rule 29.

Rule 28. Preparation of Resolution or Ordinance

Upon receiving a Request for Council Action (form 1472) initiated in accordance with Rules 25, 26 and 27, the City Attorney shall prepare a resolution or ordinance as requested and shall ~~fix a resolution or ordinance~~ number thereto for purposes of identification of the document. The City Attorney shall also prepare a digest showing any changes in the existing law which are proposed by the resolution or ordinance. The City Attorney shall then cause the completed document, with digest attached, to be delivered to the official who signed the form 1472. If more than one official signed the form 1472, he shall cause the completed document, with digest attached, to be delivered to the first signatory.

Rule 29. Delivery of Resolution or Ordinance to Rules Committee

The official who ~~signed~~ the form 1472 shall cause the resolution or ordinance, with attached digest, prepared in accordance with Rule 28, to be delivered to the Rules Committee no later than 5:00 p.m. on Thursday for listing on the docket of the regular Council meetings to be held during the week following the next succeeding week or, at the discretion of the Rules Committee, the week thereafter.

Ordinances or resolutions that are reported out of committee in accordance with Rule 17 shall be delivered to the Rules Committee by the committee chairman by 5:00 p.m. on Thursday for listing on the docket of the regular Council meetings to be held during the week following the next succeeding week or, at the discretion of the Rules Committee, the week thereafter.

Rule 30. Preparation of the Council Docket

Only those resolutions or ordinances that have been prepared and delivered in accordance with Rules 28 and 29 shall be listed on the docket.

Each resolution or ordinance so prepared and so delivered shall be reviewed and shall be assigned to one of the categories enumerated below:

- ~~1. Adoption Agenda~~
 - a. Consent Items
 - b. Noticed Hearings
 - c. Other Ordinances and Resolutions
- ~~2. Referral Agenda~~

Each item on a noticed hearing must be assigned to the Noticed Hearing portion of the Adoption Agenda ~~and cannot be referred to a committee.~~

Each ordinance or resolution that is reported out of committee in accordance with Rule 17 must be assigned to the Adoption Agenda ~~and cannot be referred to a committee.~~

In assigning every other ordinance or resolution to one of these categories, preference should be given to listing purchasing items and routine business resolutions on the Adoption Agenda, and usually as Consent Items on the Adoption Agenda.

Any items considered in committee and reported out with five (5) affirmative votes shall be placed on the consent agenda except those items for which a noticed hearing is required.

In assigning every other ordinance or resolution ~~to one of these categories~~, preference should be given to referring the item to a standing committee or the Committee of the Whole when it would do any of the following: (1) support or oppose state or federal legislation; (2) result in a substantial expenditure of City money; (3) result in a substantial loss of revenue to the City; (4) result in a substantial reduction of expenditures of City money by reducing, transferring or eliminating any existing responsibilities of the City; (5) appropriate money, or (6) add to, modify or abolish existing City policy.

The docket prepared as above and any items under Special Order of Business, together with all resolutions and ordinances prepared in accordance with Rule 28 and delivered in accordance with Rule 29, shall be delivered to the City Clerk by 10:00 a.m. each Friday for listing on the docket of the regular meeting or meetings of the City Council to be held during the week following the next succeeding week and the Clerk shall so list the items. Additionally, any item may be set for a time certain hearing.

The City Clerk shall arrange the docket in proper printed format and cause the docket to be prepared and distributed for public notice by 10:00 a.m. each Wednesday preceding the regular meetings of the full City Council to be held the following week.

Notwithstanding the above provisions, there may be listed on the Adoption Agenda of the Council docket an ordinance or resolution that has been initiated in accordance with Rules 25, 26 and 27, but which has not been prepared and delivered in accordance with Rules 28 and 29, if the City Attorney certifies in writing to the Rules Committee that an ordinance or resolution will be prepared and delivered by the City Attorney to the ~~Council~~ prior to the time the item is considered on the Adoption Agenda of the Council docket.

Notwithstanding the above provisions, the Council, at a regular meeting, or the Rules Committee may direct the City Clerk to list a resolution or ordinance on a supplemental docket for a regular Council meeting if the City Attorney certifies to the City Clerk that an ordinance or resolution has been prepared or will be prepared and delivered to the City ~~Council~~ prior to the time the item is considered at the regular Council meeting.

All docket preparation functions in these rules assigned to the Rules Committee shall be construed to be assigned to the Rules Committee Chairman.

Rule 31. Temporary Rules

The Rules Committee may at any time place on the Adoption Agenda of the docket a resolution establishing a temporary rule. Upon adoption by the Council, the temporary rule shall have the effect, for the time being, of a standing rule. If such temporary rule is in conflict with a permanent rule, it shall supersede such permanent rule only for the day on which it was adopted or for such greater period as may be specified in the temporary rule.

Rule 32. Suspension of Rules

Any permanent rule of the Council may be suspended temporarily by a vote of two-thirds (2/3) of the Council members, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Rule 33. Amending Permanent Rules

No permanent rule of the Council shall be amended except by ordinance adopted by the Council.

No such ordinance shall be considered by the Council until it shall have been referred to the Rules Committee.

Rule 34. Existing Rules Preserved

The following rules of the City Council contained in the Council Policy Manual are and the same shall be continued in full force and effect:

| <u>No.</u> | <u>Title</u> | <u>Effective Date</u> |
|------------|--|-----------------------|
| 000-6 | Reconsideration of Closed Hearings | 12-30-69 |
| 000-11 | Appeals from Decision of Hearing Officers | 8-8-60 |
| 000-13 | Procedure for Mayor and Council Appointments | 1-2-73 |
| 000-15 | Complaints Alleging Misconduct on the Part of a City Employee or Officer | 1-11-73 |

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 4196 N.S. adopted 9-26-49.)

(Amended 2-14-57 by Ord. 7339 N.S.)

(Amended 10-15-64 by Ord. 9100 N.S.; effective 11-13-64.)

(Amended 1-25-66 by Ord. 9353 N.S.)

(Amended 2-9-71 by Ord. 10499 N.S.)

(Amended 2-28-74 by Ord. 11254 N.S.)

(Amended 3-14-74 by Ord. 11268 N.S.)

(Amended 3-28-74 by Ord. 11274 N.S.)

(Amended 2-20-75 by Ord. 11489 N.S.)

(Amended 5-29-75 by Ord. 11627 N.S.)

(Amended 6-26-75 by Ord. 11643 N.S.)

(Amended 1-14-76 by Ord. 11762 N.S.)

(Amended 1-28-76 by Ord. 11764 N.S.)

(Amended 5-26-76 by Ord. 11847 N.S.)

(Amended 1-19-77 by Ord. 11998 N.S.)

(Amended 1-19-77 by Ord. 11994 N.S.)

(Amended 2-2-77 by Ord. 12004 N.S.)

(Amended 1-25-78 by Ord. 12274 N.S.)

(Amended 1-25-78 by Ord. 12275 N.S.)

(Amended 2-8-78 by Ord. 12288 N.S.)

(Amended 2-25-80 by Ord. 0-15200 N.S.)

(Amended 3-3-80 by Ord. 0-15207 N.S.)

(Amended 6-30-80 by Ord. 0-15286 N.S.)

(Amended 6-15-81 by Ord. 0-15526 N.S.)

(Amended 1-18-82 by Ord. 0-15652 N.S.)

(Amended 5-9-83 by Ord. 0-15963 N.S.)

Ordinance No. 11254 (New Series), adopted February 28, 1974, as amended by Ordinances Nos. 11268, 11274, 11489, 11627, 11643, 11762, 11764 and 11847 (all New Series), and as hereafter amended be and the same are hereby made permanently effective from and after 6-25-76.

SEP 12 1983

Passed and adopted by the Council of The City of San Diego on _____, by the following vote:

| Councilmen | Yeas | Nays | Not Present | Ineligible |
|-----------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| Bill Mitchell | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bill Cleator | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gloria McCall | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| William Jones | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ed Struiksma | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Dick Murphy | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Uvaldo Martinez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Roger Hedgecock | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *June A. Blackwell*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

AUG 22 1983

SEP 12 1983

_____, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number *0-16032* Adopted SEP 12 1983

01045

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
ATTN: JUNE A. BLACKNELL
202 C St., 12th Floor
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NO. O-16032

ORDINANCE NO. O-16032
(New Series)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 22.0101 RELATING TO THE PERMANENT RULES OF THE CITY COUNCIL.

This ordinance amends the San Diego Municipal Code by amending the Permanent Rules of the Council, section 22.0101 in several areas. The primary areas of change occur in Rules 7, 15 and 17.

Rule 7, Referral to Committee, reestablishes within the Rules Committee the overall responsibility of Council agenda preparation. It further provides that four (4) members of the Council may request a matter be placed directly on the docket but provides further that in such instance, if the matter has not been heard by a Committee having jurisdiction, three (3) members or the Chairperson of that Committee may cause it to be referred to the Committee.

Rule 15, Committee Staff, is amended to place the Rules Committee Consultant in the Mayor's office. It further provides that all Committee consultants are subject to appointment and removal of the Chairpersons of their respective Committee.

Rule 17, Conduct of Committee Business, is amended to permit a Committee to forward any matter to the full Council without a recommendation.

The remainder of the changes are intended to de-sex the section's language and provide grammatical and/or clarifying corrections.

A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101. Introduced on August 22, 1983.

Passed and adopted by the Council of The City of San Diego on September 12, 1983.

AUTHENTICATED BY:
ROGER HEDGECOCK,
Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.

(SEAL)
By JUNE A. BLACKNELL, Deputy,
Publish Oct. 10, 1983 60-1202

I, Carrie Gedeon, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. O-16032
(New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

October 10, 1983

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 10th day of Oct., 1983.

Carrie Gedeon
(Signature)

01046

7 1/4" x 8.87 = 64.31