

(R-91-1627)

RESOLUTION NUMBER R- 277575

ADOPTED ON MAR 25 1991

WHEREAS, Government Code section 6254 enumerates a list of exceptions to the California Public Records Act, including records pertaining to pending litigation, personnel matters, applications for the regulation of financial institutions, preliminary police records and investigations, test scores for licensing, preliminary real estate appraisals for the acquisition of public property, tax disclosures, library circulation records, and records of Native American graves and sacred places; and

WHEREAS, also included in the exemptions from disclosure are records deemed confidential under the attorney-client privileges as enunciated in section 950 et seq. of the Evidence Code; and

WHEREAS, this bill, by virtue of exception to an exception to the Public Records Act, would open to public review all records of attorney-client communication involving elected city attorneys, district attorneys, and the attorney general, which would otherwise have remained confidential pursuant to the attorney-client privilege but records pertaining to pending litigation would remain confidential; and

WHEREAS, this bill is applicable only to elected city attorneys, district attorneys, and the attorney general, and there are only ten (10) city attorneys in California that are elected; and

WHEREAS, the vast majority of city attorneys are appointed and would continue to enjoy the attorney-client privilege, while the elected attorneys would not; and

WHEREAS, it is important and appropriate to maintain the attorney-client privilege between the City Attorney and the Mayor, Council and departments of this city; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council, for and on behalf of said City, hereby declares its opposition to Senate Bill 208 (Kopp) relating to an amendment to Government Code section 6254 to eliminate the attorney-client privilege in almost all categories for all elected city attorneys, district attorneys and the attorney general.

APPROVED: JOHN W. WITT, City Attorney

By 

Jack Katz
Senior Chief Deputy

JK:smm
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Or.Dept:Atty
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MAR 25 1991

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *Ellen Bovard* Deputy.

Office of the City Clerk, San Diego, California

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