

RESOLUTION NUMBER R- 304097

DATE OF FINAL PASSAGE SEP 09 2008

APPROVING THE CITY COUNCIL'S RESPONSE TO THE
2007-2008 SAN DIEGO COUNTY GRAND JURY REPORT
ENTITLED "SAN DIEGO CITY ATTORNEY'S OFFICE."

WHEREAS, on June 4, 2008 the 2007-2008 San Diego County Grand Jury [Grand Jury] filed a report titled "San Diego City Attorney's Office" [Report] that requested a response from the Mayor and City Council; and

WHEREAS, under California Penal Code section 933(c), within 90 days after the filing of the report, each public agency which the Grand Jury reviewed, and about which it issued the Report, must comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency; and

WHEREAS, the Grand Jury requested that the Mayor and City Council respond to each of the findings and recommendations in the Report; and

WHEREAS, the Office of the Independent Budget Analyst has proposed a response to the Report as set forth in IBA Report No. 08-89 dated August 28, 2008, for the City Council's consideration; and

WHEREAS, under Charter section 280(a)(1) this resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the City Council and not affecting the administrative service of the City under the control of the Mayor; NOW,
THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council approves and adopts as its own the response to the to the 2007-2008 San Diego County Grand Jury Report filed June 4 2008, and titled "San Diego City Attorney's Office," as set forth in IBA Report No. 08-89 dated August 28, 2008, and that Councilmember Frye's disagreement with Finding 1 is noted for the record.

BE IT FURTHER RESOLVED, that the Council President is authorized and directed, on behalf of the San Diego City Council, to execute and deliver the above-described response to the Presiding Judge of the San Diego County Superior Court no later than September 19, 2008.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

[submitted unsigned – see accompanying memo]

By

Deputy City Attorney

CMB:als
09/16/08
Or.Dept:IBA
R-2009-234

**Office of
The City Attorney
City of San Diego**

**MEMORANDUM
MS 59**

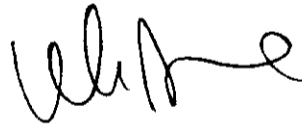
(619) 236-6220

DATE: September 16, 2008
TO: Elizabeth Maland, City Clerk
FROM: City Attorney
SUBJECT: Resolution Approving the City Council's Response to the 2007-2008 San Diego County Grand Jury Report Entitled "San Diego City Attorney's Office" (R-2009-234)

The attached Resolution R-2009-234 is provided by the City Attorney in accordance with San Diego Charter section 40 that requires that resolutions be prepared in writing and to facilitate the processing and publishing of the resolution by the City Clerk. The City Attorney has submitted a response to the Grand Jury's Report which takes a position different from that of the Mayor and City Council. The resolution, which is unsigned, reflects the actions of the City Council on September 9, 2008 on item 330 as noted in the Clerk's minutes. If you have any questions regarding this matter, please feel free to contact us.

MICHAEL J. AGUIRRE, City Attorney

By



Michael J. Aguirre
City Attorney

MJA:als
Attachment

R 304097