

RESOLUTION NUMBER R- 310384

DATE OF FINAL PASSAGE APR 26 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO WAIVING COUNCIL POLICY 000-21 AND DIRECTING PREPARATION OF A BALLOT MEASURE FOR CONSIDERATION FOR PLACEMENT ON THE NOVEMBER 2016 BALLOT.

WHEREAS, Council Policy 000-21 governs the procedure and schedule in which the San Diego City Council (Council) considers ballot measures proposed by members of the public, Councilmembers, the Mayor or mayoral departments, independent department directors, and public agencies for potential placement on an upcoming primary or general election ballot; and

WHEREAS, the Council expects to consider a large number of measures for potential placement on the November 2016 ballot; and

WHEREAS, the Council has the authority to waive a Council Policy for a specified purpose and wishes to waive Council Policy 000-21 so it may begin to discuss potential ballot measures and direct staff to prepare related ordinances earlier in the calendar year; and

WHEREAS, the Council cannot approve ballot measures for placement on the November 2016 ballot until the election has been called, an action that will occur after certification of the June 2016 primary election; and


WHEREAS, the Council also wishes to provide direction to the City Attorney's Office and to staff to begin preparing a ballot measure regarding amendments to Charter sections 32.1, Responsibility of Manager and Non-Managerial Officers to Report to Council, and 270(h), The Council; and

WHEREAS, pursuant to Charter sections 280(a)(1) and 295(b), the Council's actions regarding the waiver of its own policy and direction to the City Attorney's Office to prepare a proposed ballot measure are matters within its purview and are not subject to veto, and thus the date of the passage of this resolution by the Council shall be deemed the date of its final passage; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that:

1. Council Policy 000-21 is hereby waived so that the Council may consider a proposed ballot measure and direct preparation of an ordinance including that measure.
2. The City Attorney's Office is directed to conduct legal analysis and work with staff to prepare an ordinance including a potential ballot measure to amend Charter sections 32.1, Responsibility of Manager and Non-Managerial Officers to Report to Council, and 270(h), The Council, and related Charter sections as legally required, and return to Council for consideration of the ordinance after the November 8, 2016 Municipal General Election has been called.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:jdf
04/12/2016
Or.Dept: Council President
Doc. No.: 1264344

Passed by the Council of The City of San Diego on APR 26 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 26 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Stacy Bracy*, Deputy

Office of the City Clerk, San Diego, California

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