

RESOLUTION NUMBER R- 311211

DATE OF FINAL PASSAGE JUN 27 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE CITY COUNCIL'S RESPONSE
TO THE 2016-2017 SAN DIEGO COUNTY GRAND JURY
REPORT TITLED "BROKEN GARBAGE CANS, CITY
APATHY, FREE CANS FOR A FEW – WHAT A MESS!"

WHEREAS, on March 22, 2017, the 2016-2017 San Diego County Grand Jury
(Grand Jury) filed a report titled "Broken Garbage Cans, City Apathy, Free Cans For A Few –
What A Mess!"(Report) that requested a response from the City Council (Council) and Mayor;
and

WHEREAS, the Report discusses issues related to the aging and replacement of refuse
bins, as well as the maintenance of automated refuse collection vehicles; and

WHEREAS, the Report includes seven findings, and three recommendations directed to
the Council with four additional recommendation separately directed to the Mayor, which are not
addressed in the City's proposed response; 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 comments required from the Council are due to be Submitted to the
Presiding Judge of the Superior Court by July 31, 2017, as the City requested and received an
extension of time to respond; and

WHEREAS, the Grand Jury requested that the Council respond to the recommendations
numbered 17-11 through 17-13 in the Report; and

WHEREAS, the Office of the Independent Budget Analyst has proposed a City Council response to the Report as set forth in IBA Report No. 17-22, dated May 26, 2017, for the Council's consideration; and

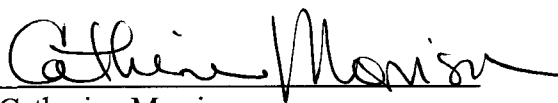
WHEREAS, on June 7, 2017, the Council Committee on Rules forwarded the proposed response to the full City Council for approval; and

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 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 2016-2017 San Diego County Grand Jury Report titled "Broken Garbage Cans, City Apathy, Free Cans for a Few – What a Mess!," as set forth in IBA Report No. 17-22, dated May 26, 2017.

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 July 31, 2017.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Catherine Morrison
Deputy City Attorney

CCM:jvg
June 12, 2017
Or.Dept: IBA
Doc. No.: 1520981

Passed by the Council of The City of San Diego on JUN 27 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 27 2017.

(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 Aty Brady, Deputy

Office of the City Clerk, San Diego, California

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