

RESOLUTION NUMBER R- 311330

DATE OF FINAL PASSAGE OCT 02 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE CITY COUNCIL'S RESPONSE TO THE APRIL 13, 2017 SAN DIEGO COUNTY GRAND JURY REPORT TITLED "STOP KICKING THE CAN DOWN THE ROAD: SAN DIEGO'S 1992 TRANSPARENCY LAW MUST BE ENFORCED"

WHEREAS, on April 13, 2017, the 2016-2017 San Diego County Grand Jury (Grand Jury) filed a report titled "Stop Kicking the Can Down the Road: San Diego's 1992 Transparency Law Must Be Enforced" that requested a response from the San Diego City Council (Council) and Mayor; and

WHEREAS, the Report discusses issues related to what the Grand Jury describes as previously identified deficiencies in San Diego City Charter (Charter) section 225; and

WHEREAS, the Report includes two findings and two recommendations directed to the Council and an additional recommendation directed to the Mayor. The proposed response covers the findings and recommendations directed to the 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 comments required from the Council are due to be submitted to the Presiding Judge of the Superior Court by October 13, 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 17-20 through 17-21 in the Report; and

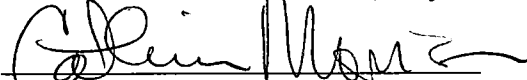
WHEREAS, the Office of the Independent Budget Analyst (IBA) has proposed a Council response to the Report as set forth in IBA Report No. 17-31, dated September 19, 2017, for the Council's consideration; and

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 Council and not affecting the administrative service of the City under the control of the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the 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 "Stop Kicking the Can Down the Road: San Diego's 1992 Transparency Law Must Be Enforced" as set forth in IBA Report No. 17-31, dated September 19, 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 October 13, 2017.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Catherine C. Morrison
Deputy City Attorney

CCM:jvg
September 19, 2017
Or.Dept: IBA
Doc. No.: 1586819

Passed by the Council of The City of San Diego on OCT 02 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 02 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.

(Seal)

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

By *Hy Ready*, Deputy

Office of the City Clerk, San Diego, California
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