



City of San Diego
MEMORANDUM

DATE: November 3, 2008

TO: City Council
City Clerk Liz Maland

FROM: Councilmember Kevin Faulconer

Councilmember Donna Frye

Councilmember Brian Maienschein

Kevin Faulconer
Donna Frye
Brian Maienschein

RE: Selecting Council Leadership on December 8

Some have speculated about the possibility of scheduling an early vote on the new Council President, or on the appointment of an interim "Presiding Officer," before the new council members are seated. We are writing to express our strongest opposition to either possibility.

Council precedent and the principles of sound governance and democracy advise against the participation of departing council members in the selection of leadership for the new council.

The City Municipal Code specifies that the Council President's term takes effect at the first meeting of the Council in January. This logically implies that the election of a Council President occurs after new members are sworn in

"No later than the first meeting of the Council in January of each calendar year, the Council shall select a President from one of its members by majority vote of the Council. The President shall serve for a term of one year, commencing on the first meeting of the Council in January of each year, or until a successor is selected and qualified, whichever is later." (San Diego Municipal Code, Permanent Rules of Council, Rule 4.2, emphasis added)

We therefore propose the following process to facilitate an orderly and democratic transition:

002058

- Using precedent established in July 2005, we propose that the City Clerk open the City Council's meeting on December 8 - with the first order of business being the election of City Council leadership.
- The City Council docket for December 8 will include an agenda item relating to the election of the Council President and Council President Pro Tem - as well as selection of the Committee Chairs. Included shall be the discussion of the term of appointments.
- In anticipation of possible changes to the role of council leadership and the legislative process, the docket for December 8 should also include an agenda item relating to any proposed changes to the *Permanent Rules of the City Council*.

CC: Mayor Jerry Sanders
City Council Candidates, Districts 1, 3, 7
City Attorney Michael Aguirre and City Attorney Candidate Jan Goldsmith

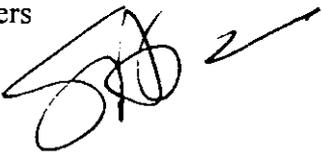
002059



City of San Diego

**COUNCIL PRESIDENT SCOTT PETERS
FIRST DISTRICT**

MEMORANDUM

TO: Honorable City Councilmembers
FROM: Council President Scott Peters 
DATE: November 3, 2008
SUBJECT: Calendaring Discussion on the Selection of a City Council President for 2009

I have received questions recently about the timing of the selection of a City Council President in 2009. It is my personal view that the management and leadership of the Council in 2009 is a matter for the new council, which next year will include four new members. However, that is not my individual decision, but a decision for the entire council. Therefore, I will calendar this matter for Council discussion in mid-November, on the 18th (which is the same timing for addressing the issue as in each of the past three years). At that time, the entire Council can discuss how to support a smooth and effective transition to new leadership, and how related decisions should be timed. Finally, we can conduct the discussion in an open meeting with the benefit of public input.

SHP/mg

cc: Honorable Mayor Jerry Sanders
Honorable City Attorney Michael Aguirre
Andrea Tevlin, Independent Budget Analyst

002061

REQUEST FOR COUNCIL ACTION
 CITY OF SAN DIEGO
1. CERTIFICATE NUMB'
(FOR AUDITOR'S US

334

11/18

 TO: CITY ATTORNEY
 2. FROM (ORIGINATING DEPARTMENT): Office of the Council President
 3. DATE: November 5, 2008

4. SUBJECT:

Selection of a Council President for 2009

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)

MaryAnne Pintar (66611/M.S. 10A)

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED


8. COMPLETE FOR ACCOUNTING PURPOSES

FUND				9. ADDITIONAL INFORMATION / ESTIMATED COST:
DEPT.				
ORGANIZATION				
OBJECT ACCOUNT				
JOB ORDER				
C.I.P. NUMBER				
AMOUNT				

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	MARYANNE PINTAR, CHIEF OF STAFF		8	DEPUTY CHIEF		
2		<i>M. Pintar</i>		9	COO		
3				10	CITY ATTORNEY	<i>M. Pintar</i>	
4	CFO			11	ORIG. DEPT	MARYANNE PINTAR, CHIEF OF STAFF	
5				DOCKET COORD: _____ COUNCIL LIAISON _____			
6				✓	COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION	
7					<i>[Signature]</i>	<input type="checkbox"/> REFER TO: _____	COUNCIL DATE: 11/18/08

11. PREPARATION OF:

 RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

In the Matter of Selecting a Council President for the 2009 Annual Year.

11A. COUNCIL PRESIDENT'S RECOMMENDATIONS:

Council is asked to consider the matter of selecting a Council President for calendar year 2009, and to take such actions as the Council deems appropriate. These actions may include:

1. Select a new Council President for calendar year 2009.
2. Select an Interim Council President until a date certain.
3. Continue the matter of selection of a Council President for calendar year 2009 to a later date.

Direct the City Attorney to prepare any necessary resolutions.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

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COUNCIL DISTRICT(S): ALL

COMMUNITY AREA(S): ALL

ENVIRONMENTAL IMPACT: THIS ACTION IS NOT A "PROJECT" FOR PURPOSES OF CEQA

HOUSING IMPACT: N/A

OTHER ISSUES: SEE ATTACHED DOCKET SUPPORTING INFORMATION: NOV 3 MEMO FROM COUNCIL PRESIDENT SCOTT PETERS; NOV 3 MEMO FROM COUNCILMEMBERS FAULCONER, FRYE AND MAIENSCHIN.