



**THE COMMITTEE ON CHARTER REVIEW
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**Council President Sherri S. Lightner, Chair
Councilmember Chris Cate, Vice Chair
Councilmember Marti Emerald
Councilmember Mark Kersey**

**ACTIONS FOR THE COMMITTEE MEETING OF
Thursday, February 5, 2015 at 2:00 P.M.
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET, SAN DIEGO, CA 92101**

**For Information, contact Steve Hadley, Council Committee Consultant
email: charterreview@sandiego.gov or phone: (619) 533-5906**

ROLL CALL

Committee members present: Lightner, Cate, Emerald and Kersey

APPROVAL OF COMMITTEE ACTIONS

The Committee Record of Actions of the following meetings were approved by Unanimous Consent:

January 15, 2015

NON-AGENDA PUBLIC COMMENT

Phil Beaumont regarding changing Charter Section 55 to allow educational facilities in Balboa Park.

**COMMITTEE MEMBERS, MAYOR, INDEPENDENT BUDGET ANALYST, CITY
ATTORNEY, CITY CLERK, DIRECTOR OF LEGISLATIVE AFFAIRS COMMENT :**

The Chair noted that February 6, 2015, is Go Red Day.

REQUESTS FOR CONTINUANCE: None

DISCUSSION AGENDA:

ITEM-1: Committee consideration of the City Attorney's February 5, 2014 REPORT TO THE CITY COUNCIL, SAN DIEGO CHARTER LEGAL REVIEW and CITY CHARTER

[The Committee considered the following Charter section issues and options as presented in the City Attorney's Report]

§ 18 Authentication and Publication of Ordinances and Resolutions

Motion by Councilmember Emerald to refer the City Attorney's option to the City Attorney and City Clerk; to return with drafted language, consistent with state regulations that would remove the requirement to publish resolutions in the official city newspaper. Second by Councilmember Cate.

Passed by the following vote:

Yea: Lightner, Cate, Emerald and Kersey

Nay: None

Recused: None

Not Present: None

§ 26 Administrative Code – Powers and Duties of Administrative Offices and Departments

Motion by Councilmember Kersey to refer the City Attorney's options to the Independent Budget Analyst; to return with further analysis. Second by Councilmember Cate.

Passed by the following vote:

Yea: Lightner, Cate, Emerald and Kersey

Nay: None

Recused: None

Not Present: None

§ 32.1 Responsibility of Manager and Non-managerial Officers to Report to Council

Motion by Councilmember Kersey to refer the City Attorney's options to the Mayor, Director of Legislative Affairs and Independent Budget Analyst; to return with further analysis. Second by Councilmember Cate.

Passed by the following vote:

Yea: Lightner, Cate, Emerald and Kersey

Nay: None

Recused: None
Not Present: None

§ 35 Purchasing Agent and § 94 Contracts

Motion by Councilmember Emerald to refer the City Attorney's option to the Purchasing & Contracting Department, City Attorney, Auditor, Information Technology Department, Open Data Department and Independent Budget Analyst; to return with a comprehensive analysis of all Charter sections related to purchasing and contracting, and related recommendations. Second by Councilmember Cate.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 39.1 Audit Committee

Motion by Councilmember Cate to refer the City Attorney's option to the Audit Committee and Independent Budget Analyst; to return with further analysis and recommendations. Second Councilmember Emerald.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 41(c) Planning Commission – Duties

Motion by Councilmember Cate to refer the City Attorney's options to the Planning Commission staff, Planning Department, Development Services Department, City Clerk and Independent Budget Analyst; to return with recommended amendments, or a recommendation to remove the charter section. Second by Chair Lightner.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 42 Membership Selection

Motion by Councilmember Emerald to refer the City Attorney's options back to the City Attorney; to return with a definitive opinion regarding the appropriate use of classification language based on state and federal law. Second by Chair Lightner.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 76 Limit of Tax Levy

Motion by Councilmember Cate to accept the City Attorney's option to repeal the provision. Second by Councilmember Emerald.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 76.1 Special Taxes

Motion by Councilmember Cate to accept the City Attorney's option to repeal the provision. Second by Councilmember Emerald.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 77B Public Transportation

Motion by Councilmember Cate to accept the City Attorney's option to repeal the provision. Second by Councilmember Emerald.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 84 Money to be Drawn from Treasury in Accordance with Appropriation

Motion by Councilmember Emerald to refer the City Attorney's option to the Chief Financial Officer, Financial Management and Comptroller; to return with recommendation(s). Second by Councilmember Kersey.

Passed by the following vote:

Yea: Lightner, Emerald and Kersey
Nay: None
Recused: None
Not Present: Cate

§ 86 Disposition of Public Moneys

Motion by Councilmember Cate to refer the City Attorney's options to the Comptroller and Treasurer regarding option 1 and Comptroller and City Attorney regarding option 2; to return with recommendations consistent with state practices. Second by Councilmember Emerald.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 90.1 Waterworks and § 90.2 Sewer

Motion by Councilmember Emerald to refer the City Attorney's option to Debt Management, Public Utilities and City Attorney; to review to make sure necessary provisions are not deleted, and if not, return with a recommendation to repeal the Charter sections. Second by Councilmember Kersey.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 113 Official Advertising

Motion by Councilmember Cate to refer the City Attorney's options to the City Attorney, City Clerk and Purchasing & Contracting Department for further study in conjunction with Section 18; to return with recommendations. Second by Councilmember Emerald.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 114 Bureau of Information and Publicity

Motion by Councilmember Emerald to repeal Section 114. Second by Councilmember Cate.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 118 Rules

Motion by Councilmember Emerald to accept the City Attorney's option. Second by Councilmember Cate.

Passed by the following vote:
Yea: Cate, Emerald and Kersey
Nay: Lightner
Recused: None
Not Present: None

§ 129.1 Removal of Striking Employees

Motion by Councilmember Emerald to refer the City Attorney's options to the Mayor and City's employee groups. Motion failed for lack of a second.

Motion by Councilmember Cate to continue consideration of the City Attorney's option until all Civil Service related sections of the Charter are considered at the same time. Second by Councilmember Lightner.

Passed by the following vote:
Yea: Lightner, Cate and Kersey
Nay: Emerald
Recused: None
Not Present: None

§ 142 Employment of Actuary

Motion by Councilmember Kersey to accept the City Attorney's option. Second by Councilmember Cate.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 144 Board of Administration

Motion by Councilmember Emerald to refer the City Attorney's options to the San Diego

City Employee Retirement System staff, Board and the City Attorney; to return with recommendations. Second by Councilmember Cate.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

§ 145 Retirement Fund

Motion by Councilmember Emerald to accept the City Attorney's option. Second by Councilmember Cate.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

Article X Transfer of Police and Fire Department Employees into the Retirement System.

Motion by Councilmember Kersey to refer the City Attorney's option to the San Diego City Employee Retirement System staff and Board for further study; to return with recommendations. Second by Councilmember Emerald.

Passed by the following vote:
Yea: Lightner, Cate, Emerald and Kersey
Nay: None
Recused: None
Not Present: None

A handwritten signature in black ink that reads "Sherri S. Lightner". The signature is written in a cursive, flowing style with a long horizontal line extending to the right.

Sherri S. Lightner
Chair