



**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 Mark Kersey
Council President Pro Tem Marti Emerald**

**ACTIONS FOR THE COMMITTEE MEETING OF
THURSDAY, JULY 2, 2015 AT 9:00 A.M.
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET, SAN DIEGO, CA 92101**

**For Information, contact Steven Hadley, Council Committee Consultant
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Committee members present: Lightner, Cate, Kersey, Emerald

APPROVAL OF COMMITTEE ACTIONS:

The Committee Record of Actions of the following meeting was approved by Unanimous Consent:

June 11, 2015

NON-AGENDA PUBLIC COMMENT: Myles Pomeroy on behalf of the League of Women Voters asked the Committee to require that excess water fund revenues be used to offset future rate increases in Article Section 53, and restore Section 63 dealing with the City’s libraries.

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

None

REQUESTS FOR CONTINUANCE: None

DISCUSSION AGENDA:

ITEM-1: Consideration of the following Charter Article V, Executive and Administrative Service, sections including the options, suggestions and recommendations from the presenters noted parenthetically in italics.

A) § 26.1 Public Services Required

Update the list of required services to include broad categories of timeless, essential services. *(Council President Lightner)*

Motion by Councilmember Emerald to refer the section to the Mayor's Office to return with an updated list that includes broad categories of timeless, essential services. Second by Council President Lightner.

Passed by the following vote:

Yea: Lightner, Cate, Kersey, Emerald

Nay: None

Recused: None

Not Present: None

B) § 58 Fire Department

Consideration of a recommendation to incorporate the language of Council Policy 500-09, Minimum Staffing for Fire Engines and Fire Trucks. *(Councilmember Emerald)*

Motion by Councilmember Emerald to accept the recommendation failed for lack of a second.

Motion by Councilmember Cate to remove the words "from fire" from the last sentence of paragraph two in the section and remove the last sentence stating the effective date from the final paragraph in section. Second by Council President Lightner.

Passed by the following vote:

Yea: Lightner, Cate, Kersey, Emerald

Nay: None

Recused: None

Not Present: None

c) § 41(c) City Planning Commission

Move the portions of the sub-section addressing the duties, membership composition, selection and terms of the Commission from the Charter to the Municipal Code. *(Council President Lightner)*

Motion by Councilmember Kersey to request that the City Attorney return with a proposal to address the duties, membership composition, selection and terms of the Planning Commission in the Municipal Code; seeking any and all input in the process, including that of the Planning Commission, Mayor's Office and the Planning Department. Second by Council President Lightner.

Passed by the following vote:

Yea: Lightner, Cate, Kersey, Emerald

Nay: None

Recused: None

Not Present: None

D) § 43 Advisory Boards and Committees

Consideration of amending the section as appropriate to address issues such as, but not limited to, Brown Act compliance, conflict of interest disclosure, reporting to the City Council, indemnification and a regular sunset review process. *(Council President Lightner)*

Motion by Councilmember Emerald to request that the City Attorney return with an expanded copy of the City Attorney's April 2013 Assessment Chart for Boards and Commissions that includes the issues noted in the sub-item title. Second by Council President Lightner.

Passed by the following vote:

Yea: Lightner, Cate, Kersey, Emerald

Nay: None

Recused: None

Not Present: None

E) § 64 Support of Educational and Cultural Institutions

Remove the section, because it is redundant with established practice. (*Mayor's Office*)

Motion by Councilmember Emerald to accept the Mayor's recommendation to remove the section. Second by Councilmember Cate.

Passed by the following vote:

Yea: Lightner, Cate, Kersey, Emerald

Nay: None

Recused: None

Not Present: None

ITEM-2: Review the memorandum from the Ethics Commission recommending changes to the Election Campaign Control Ordinance [ECCO] and the Lobbying Ordinance. (*Ethics Commission*)

Motion by Councilmember Cate to accept the Ethics Commission's recommended changes with the caveat that in the Election Campaign Control Ordinance section 27.2965.e.2, signed disclosure forms may be obtained within 24 hours after the receipt of an electronic contribution instead of before the contribution is made.

Amendment to the motion by Councilmember Emerald, to include the elimination of the \$100 reporting threshold for disclosure of contributions to professional expense funds.

Second by Councilmember Emerald.

Passed by the following vote:

Yea: Lightner, Cate, Kersey, Emerald

Nay: None

Recused: None

Not Present: None

ITEM-3: Review the report from the Director of Legislative Affairs recommending

amendments to Municipal Code Section 22.0101: Permanent Rules of the Council.
(*Director of Legislative Affairs*)

Motion by Councilmember Cate requesting that the ordinance and strike-out with all of the requested changes, additions, and clarifications considered and summarized below be brought back to the Charter Review Committee for final review within 60 days.

- Rule 2.1 Request to analyze the possibility of having Council meetings be held on Tuesdays from 9:00 a.m. – 6:00 p.m. with Closed Session at 1:00 p.m.
- Rule 2.3 Strike rule from the Permanent Rules of Council.
- Rule 4.5 Add clarification on responsibilities of the Chair Pro Tem to be the same as the Council President in the absence of the Council President and Council President Pro Tem.
- Rule 6.6 Request that the City Attorney’s office work with the Director of Legislative Affairs to prepare language for review by the Committee.
- Rule 6.9.1 Change to clarify that in the event of a tie vote the matter shall be forward to Council without Committee recommendation.
- Rule 6.10 Request the Director of Legislative Affairs to work with interested stakeholders to review and clarify the Committees’ Areas of Responsibility.
- Rule 6.10.7 Create a Special Issues Committee that would meet on an as needed basis to cover the Areas of Responsibility currently held under the “additional responsibilities of the Committee Chaired by the Council President.”
- Rule 7.3 Agree with a strike-out being prepared for any “Corrected Copy” resolutions or ordinances submitted to the Council President.
- Rule 7.3.2 Agree with directing the City Attorney to clarify within the resolution or ordinance if 6 votes are required for an item.
- Rule 7.6 Agree with moving the supplemental deadline to Thursday at 2:00 p.m.
- Rule 8 Requested representatives from the Mayor’s Office, City Attorney’s

Office, and the Council President's Office meet to discuss a process to coordinate the closed session agenda per Charter Section 270(d).

- Rule 1.6 Add clarification that the Council majority can call an emergency meeting if the Council President and Mayor are unavailable to call such meeting. Additionally add reference to Municipal Code Section 5.01 regarding Public Emergency Procedures.
- Rule 6.10.5 The Committee on Budget and Government Efficiency shall be composed of four members and clarify all Council Committees shall consist of 4 members.
- Rule 2.4.2 Add language "not to exceed 120 days."
- Rule 2.11.1 Change "day" to "meeting."
- Rule 3.4 Add language to read, "as deemed necessary by the Council or as legally required."

Second by Councilmember Emerald.

Passed by the following vote:

Yea: Lightner, Cate, Kersey, and Emerald

Nay: None

Recused: None

Not Present: None



Sherri S. Lightner
Chair