



**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**

**AGENDA FOR THE COMMITTEE MEETING OF
WEDNESDAY NOVEMBER 4, 2015 at 9:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET, SAN DIEGO, CA 92101**

**For Information, contact Steven Hadley, Council Committee Consultant
Email: charterreview@sandiego.gov Phone: (619) 533-5906**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the Committee Liaison at (619) 533-3984 or MWallace@sandiego.gov. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times, ranging from five business days to two weeks. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Committee Room upon request.

ROLL CALL

APPROVAL OF COMMITTEE ACTIONS

The Committee Record of Actions of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

October 8, 2015

NON-AGENDA PUBLIC COMMENT This portion of the agenda provides an opportunity for members of the public to address the Committee on items of interest within the jurisdiction of the Committee. (Comments relating to items on today’s docket are to be taken at the time the item is

heard.) Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two (2) minutes and are non-debatable. To exercise this right, members of the public must submit a Public Comment Request form prior to the meeting. At the conclusion of the comment, the Committee Chair has the discretion to determine appropriate disposition of the matter. Pursuant to open meeting laws, no discussion or action, other than a referral, shall be taken by the Committee on any issue brought forth under Non-Agenda Public Comment.

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

REQUESTS FOR CONTINUANCE

CONSENT AGENDA: Because this item may be handled quickly, if you wish to be heard, submit your Request to Speak form prior to the start of the meeting.

ITEM-1: Reconsideration of Items 1, 2, 3 and 4 from the October 8, 2015, Charter Review Committee meeting for the sole purpose of requesting that the actions voted be heard at City Council as soon as possible rather than January 13, 2016.

DISCUSSION AGENDA :

Current Charter language considered or referenced in the following items can be found in the CITY CHARTER.

ITEM-2: Consideration of proposed changes to the following Article VII – Finance provisions and related Charter sections in response to prior Committee discussion.

- A) § 70 Power to Fix Salaries
([Click here](#) to read draft language for section 70.)
- B) § 84 Money to be Drawn from Treasury in Accordance with Appropriation
([Click here](#) to read draft language for section 84.)
- C) §90.3 Voter Approval for Major Public Projects Conferring Significant Private Benefit

ITEM-3: Consideration of proposed changes to the following Article V – Executive and Administrative Service provisions and related Charter sections in response to prior Committee discussion.

- A) § 26 Administrative Code (Powers of Departments and Administrative Offices)
Consideration of comparative information presented in Independent Budget Analyst’s Report 15-38 as it relates to the Council’s authority to reorganize departments and the Charter section 26 options presented in the City Attorney’s February 5, 2014, Report to the City Council. ([Click here, to read the Independent Budget Analyst’s November 4, 2015, Report Number 15-38 Comparative Information on the Authority to Reorganize](#)

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Departments in other City Charters. [Click here](#) to read the City Attorney's February 5, 2014, Report to the City Council, San Diego Legal Charter Review.)

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B) § 26.1 Public Services Required

Approve an updated list of broad category, timeless and essential services.

C) § 32.1 Responsibility of Managers and Officers

Consider amending the section to clarify that the duty to provide information is self-executing and information must be provided to the Council prior to its decisions, and whether to provide a mechanism for enforcement, and if so, whether to place this mechanism in the Municipal Code or Charter.

([Click here to read the Independent Budget Analyst's November 4, 2015, Report Number 15-39 Comparative City Charter Information on the Responsibility of the Mayor to Report Information to Council. Click here](#) to read draft language for section 32.1.)

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D) § 41(c) City Planning Commission

Consideration of language addressing the duties, membership composition, selection and terms of the Commission for purposes of placement in the Municipal Code instead of the Charter.

E) § 42 Membership Selection

Consideration of a legal opinion regarding the appropriate use of classification language based on state and federal law. ([Click here to read the City Attorney's November 3, 2015, Memorandum of Law.](#))

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F) § 43 Advisory Boards and Committees

Consideration of an updated City Attorney's Chart for Charter Section 43 Boards and Commissions noting Brown Act compliance, conflict of interest disclosure, reporting to the City Council, indemnification and a regular sunset review process. ([Click here to read the City Attorney's November 4, 2015, Report.](#))

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ITEM-4: Consideration of proposed changes to Article II provisions addressing redistricting including sections 5, 5.1 and related Charter sections in response to prior Committee discussion. ([Click here to read the City Clerk's October 27, 2015, Report 15-06, Proposed Changes to the Charter Related to Redistricting.](#))

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ITEM-5: City Attorney's review of and Committee consideration of the Charter Review process going forward.

ITEM-6: Consideration of changes to Municipal Code Section 22.0101: Permanent Rules of Council. ([Click here to read the Director of Legislative Affairs' October 28, 2015, Report 15-093, Permanent Rules of Council. Click here to read the City Attorney's October 29, 2015, Memorandum.](#))

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Sherri S. Lightner

Sherri S. Lightner
Chair

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