



CITY OF SAN DIEGO
MEMORANDUM

DATE: November 23, 2015
TO: Honorable Charter Review Committee Members
FROM: Council President Sherri Lightner, Chair
SUBJECT: Special Committee Meeting on Thursday, December 3, 2015

The Charter Review Committee will convene for a Special Committee Meeting on December 3, 2015, at 2:00 p.m. in order to discuss and take action on the following item(s):

- ITEM-1: Consideration of proposed preamble language for the Charter.
- ITEM-2: 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) § 41(c) City Planning Commission
Consideration of language formalizing the Planning Commission in the Charter, but placing the duties, membership composition, selection and terms of the Commission in the Municipal Code.
 - B) § 41(d) Ethics Commission
Consideration of language formalizing the Ethics Commission in the Charter.
- ITEM-3: Consideration of proposed changes to the following Article VII – Finance provisions and related Charter sections in response to prior Committee discussion.
 - A) §77A Provisions for Zoological Exhibits
Consideration of no action from the Environment Committee.
 - B) §103.1A Environmental Growth Fund
Consideration of recommendation(s) from the Environment Committee.
- ITEM-4: Consideration of proposed changes to the following Article VIII – Civil Service and related Charter sections in response to prior Committee discussion.

- A) §118 Rules
Consideration of language amending the section to comply with state law.
- B) §129.1 Removal of Striking Employees
Consideration of language conforming the section to state law.
- ITEM-5: Consideration of proposed changes to the following Article IX – The Retirement of Employees and related Charter sections in response to prior Committee discussion.
 - A) §141 City Employees’ Retirement System
Consideration of language in a newly created sub-item (e) to allow an employee’s reciprocal service between SDCERS and CalPERS to count toward vesting to establish eligibility for benefits, and broad, timeless language that does not reference specific entities other than the Board of Administration.
 - B) §141.2 Full and Fair Employee Contributions for the Defined Benefit Pension Plan
Consideration of an analysis of whether the City should pay SDCERS all or any portion of overpayment of benefits or underpayment of contributions caused by the negligence of a City employee, and whether doing so could be addressed through the meet and confer process with the municipal employee unions or contractually with the San Diego City Employees’ Retirement System.
 - C) §144 Board of Administration (SDCERS Board)
 1. Consideration of proposed Municipal Code language clarifying the staggering of 4-year terms for the seven inaugural Board of Administration appointments.
 2. Consideration of timeless language referencing in sub-section (f) regarding who should serve as the City management employee Board member, and changing the appointing, directing and reporting authority to the Mayor instead of the City Manager.
 3. Consideration of City Attorney Report regarding the following Charter section 144 proposed amendments by the San Diego City Employee Retirement System.
 - a. Proposal to amend section 144 to give the Board of Administration all powers and duties provided in the Declaration of Group Trust for the SDCERS Group Trust effective July 1, 2007, and naming specific trusts in the Charter.
 - b. Proposal to amend section 144 to give the Board of Administration the sole authority to invest in classes or types of investments it deems prudent beyond those investment options already established or authorized by General Law.

- c. Proposal to amend section 144 to answer the question whether Unified Port District and Regional Airport Authority members can run for Board of Administration seats.
4. Consideration of adding a new sub-item (g) to the section codifying the Board of Administration's authority to hire and retain its own independent legal counsel.

The Special meeting of the Committee will be held in the Committee Room on the 12th floor of the City Administration Building, 202 C Street, San Diego, CA.

If you require additional information or have any questions or concerns please do not hesitate to contact Steven Hadley, Council Committee Consultant at (619) 533-5906 or via e-mail at charterreview@sandiego.gov.

cc: Honorable Mayor Kevin L. Faulconer
Honorable City Attorney Jan Goldsmith
Andrea Tevlin, Independent Budget Analyst
Liz Maland, City Clerk