

3306
7/28/2020

(R-2021-35)

RESOLUTION NUMBER R- 313174

DATE OF FINAL PASSAGE JUL 28 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AMENDING COUNCIL POLICY 000-13
ENTITLED "PROCEDURE FOR MAYOR AND COUNCIL
APPOINTMENTS."

WHEREAS, in 1972, the City Council (Council) adopted Resolution R-205453 creating Council Policy No. 000-13, entitled "Procedure for Mayor and Council Appointments" (the Council Policy); and

WHEREAS, the Council Policy intended to establish a uniform procedure for the appointment and confirmation of members of City of San Diego (City) commissions, boards, committees, authorities, and districts, with the policy to apply unless it conflicts with the City Charter, ordinance, corporate bylaws, or other controlling legal authority; and

WHEREAS, the Council Policy is reviewed periodically and amended by the Council, as related laws change and the Council seeks to clarify or amend procedures, with 13 amendments made by resolution since 1972; and

WHEREAS, the Council now proposes additional amendments to the Council Policy to clarify procedures for filling seats on the City's volunteer boards and commissions; and

WHEREAS, the amendments clarify that board and commission members who choose to resign their position on a City board or commission shall ensure that their resignation is promptly reported to the City Clerk; and

WHEREAS, amendments also clarify that nominees for seats on boards and commissions will be required to undergo a background check only if required by governing law; and

WHEREAS, amendments also set forth new and detailed procedures for when and how the Council may make appointments to City boards and commissions formed under Charter sections 41 and 43(c) when the Mayor is vested with authority under the Charter to appoint the members of such boards and commissions, and does not take such action within 45 days after the board is established, or a vacancy occurs; and

WHEREAS, the amendments were proposed by the Council President, considered by the Council's Rules Committee, and then considered by the full Council; and

WHEREAS, the amendments to this procedural Council Policy are a matter solely within the purview of the Council and this resolution thus is not subject to mayoral veto under Charter section 280(a)(1); NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that Council Policy No. 000-13, entitled "Procedure for Mayor and Council Appointments" is amended to provide clarifying language, and to set forth new and detailed procedures for when and how the Council may make appointments to City boards and commissions formed under Charter sections 41 and 43(c) in certain circumstances, in conformance with the City Charter and other governing laws, and as set forth in the amended Council Policy filed in the Office of the City Clerk as Document No. RR- **313174**.

BE IT FURTHER RESOLVED, that the City Clerk is instructed to update the Council Policy Manual to include the amended Council Policy No. 000-13.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Sharon B. Spivak
Sharon B. Spivak
Senior Deputy City Attorney

SBS:jdf
07/15/2020
Or.Dept:Council President, Rules Committee
Doc. No. 2427038

Passed by the Council of The City of San Diego on JUL 28 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 28 2020.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **313174**