

**THE COMMITTEE ON GOVERNMENT EFFICIENCY AND OPENNESS
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR
MONDAY, APRIL 11, 2005, AT 9:00 A.M.**

****COUNCIL CHAMBERS (12TH FLOOR), CITY ADMINISTRATION
BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

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COUNCIL COMMENT: Councilmember Frye:
Indicated that Councilmember Atkins would be 30 minutes late.

NON-AGENDA PUBLIC COMMENT: Ian Trowbridge:
Requested a review from the City Clerk of the city records retention policy regarding
appointment calendars for City Councilmembers.

NON-AGENDA PUBLIC COMMENT: Johnnie Perkins, San Diego Fire Fighters:
Submitted two requests for information submitted to the City Manager regarding actuarial and
financial information. He has not received a response and would like GE&O to look into the
matter.

ADOPTION AGENDA

Approval of the Action Items for February 14, 2005. (ACTION)

ACTION: Motion by Councilmember Maienschein, second by
Councilmember Frye to approve the action items for February 14, 2005.

VOTE: 2-0; Frye-yea, Atkins-not present, Maienschein-yea

ITEM-1: Review of the San Diego City Employees' Retirement System (SDCERS)
ANNUAL ACTUARIAL VALUATION REPORT including, but not limited to
the unfunded accrued liability and the actuarial required contribution.
(INFORMATIONAL)

(See San Diego City Employees' Retirement System Annual Actuarial Valuation

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June 30, 2004, report)

Public Comment Received by: Ian Trowbridge:

Asked why SDCERS is paying 8% on the DROP program and on its retirement funds, and if any pressure was applied to the actuary from the SDCERS Board to set the rate at 8%? He also made the point that the contingency liabilities do not appear on the books.

Public Comment Received by: Mel Shapiro:

Asked for the definition of "Deferred Gains."

ACTION: No action taken. Report accepted.

ITEM-2: Report on San Diego City Employees' Retirement System (SDCERS) DEATH MATCH AUDITS AND OVERPAYMENT INFORMATION. (INFORMATIONAL)

(See John Torell's and Larry Tomanek's April 1, 2005, memo)

Public Comment Received by: None.

ACTION: Motion by Councilmember Maienschein, second by Councilmember Frye to accept the report with recommendations to the SDCERS Board to: 1) perform monthly death match audits; 2) consider reviewing the nature of past overpayments that have occurred to determine if additional measures are warranted to minimize the risk of overpayments; and 3) consider whether staff resources should be redirected to expedite the review and close-out of deceased retirees' accounts discovered from prior audits.

VOTE: 2-0; Frye-yea, Atkins-not present, Maienschein-yea

ITEM-3: Review of Charter Section 42, MEMBERSHIP SELECTION, including, but not limited to conflict of interest issues and recommendations for implementation of Charter Section 42 into City Codes. (ACTION)

(See City Attorney's April 7, 2005, report)

Public Comment Received by: Dave Potter:

Asked the Committee to recommend the following changes to City policy in regards to the enforcement of Charter Section 42:

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1. Memorandums from the Mayor regarding appointees should include the community and district in which the appointee resides. The same information should be provided for the existing members of the board or commission.
2. Memorandums from the Mayor regarding appointees should include the occupation of the appointee. The same information should be provided for the existing members of the board or commission.
3. Memorandums from the Mayor regarding appointees shall have the same distribution to the public as City Manager's reports.
4. Preclude "behind the scenes" lobbying of Council offices to support a nomination.
5. Make it clear that the City Council shall exercise their authority not to confirm an appointment when appropriate.

Public Comment Received by: Cindy Moore:

Expressed concerns regarding current Planning Commissioners' frequent recusals when voting on various projects before the Planning Commission. Candidates with minimal conflicts of interest should be appointed.

Public Comment Received by: Reynaldo Pisano:

Recommended support of Mr. Potter's letter.

Public Comment Received by: Jim Varnadore:

Noted that Council Districts 1 and 2 have had 60% of the Planning Commission appointees. Appointees should have extensive knowledge regarding the City of San Diego rather than extensive knowledge of a small section of private industry. There are many qualified community members throughout San Diego who could serve on the Planning Commission.

Public Comment Received by: Ian Trowbridge:

Noted that there are currently regulations in place to control how appointees are chosen and wonders how making more rules will help the situation. He believes that recent appointments are tied directly to campaign contributions made to the Mayor.

ACTION: Motion by Councilmember Atkins, second by Councilmember Maienschein to direct the City Attorney to bring forward within 45 days to GE&O:

- 1) Non-discrimination language that can be added to current policy regarding age, sexual orientation and ability;
- 2) An overview report regarding the appointment process from start to finish,

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- including timeline and adherence to it once implemented;
- 3) An analysis regarding the possibility of adding a designated Community Planners Committee seat to the Planning Commission;
 - 4) An analysis regarding the implementation of an attendance and recusal policy for City boards and commissions;
 - 5) Examine the possibility of adding members who serve as “alternates” for existing Planning Commission members who are absent or must recuse themselves from voting on particular issues;
 - 6) An analysis requiring that memorandums from the Mayor regarding appointees include the community and district in which the appointee resides, and that the same information should be provided for the existing members of the board or commission;
 - 7) An analysis requiring that memorandums from the Mayor regarding appointees should include the occupation of the appointee, and that the same information be provided for the existing members of the board or commission; and.
 - 8) An analysis requiring that memorandums from the Mayor regarding appointees shall have the same distribution to the public as City Manager’s reports.

VOTE: 3-0; Frye-yea, Atkins-yea, Maienschein-yea

Donna Frye
Chair