



COUNCIL PRESIDENT SHERRI S. LIGHTNER

CITY OF SAN DIEGO

August 5, 2015

Judge David J. Danielsen
Presiding Judge
San Diego Superior Court
220 West Broadway
San Diego, CA 92101

Re: Grand Jury Report: "COMPENSATION OF CITY OF SAN DIEGO ELECTED OFFICIALS"

Dear Judge Danielsen:

Pursuant to California Penal Code Section 933.05(a),(b) and (c), the City of San Diego provides the attached response from the City Council to the applicable findings and recommendations included in the above referenced Grand Jury Report.

If you require additional information or have any questions, please do not hesitate to contact Diana Jurado-Sainz, Director of Legislative Affairs, at 619-533-3920.

Sincerely,

Sherri Lightner
Council President
City of San Diego

Encl: City Council Resolution R- 309901
IBA Report Number 15-04 REV



**Revised Proposed City Council Response to
San Diego County Grand Jury Report Entitled
“COMPENSATION OF CITY OF SAN DIEGO ELECTED OFFICIALS”**

Pursuant to California Penal Code section 933(c), the City Council of the City of San Diego provides the following responses to the applicable findings and recommendations included in the above referenced Grand Jury Report:

FINDINGS

Finding 01: *Salaries of Councilmembers and the Mayor should be tied to an external benchmark.*

Response: The City Council partially disagrees with the finding.

Because the Council needs to further vet the issues surrounding compensation of elected officials, it cannot agree to a specific method for salary determination. See the response to Recommendation 15-02.

Finding 02: *A Charter Review Committee should be formed by the end of March 2015 in order to meet deadlines for City Council approval for the June 2016 ballot.*

Response: The City Council disagrees with the finding.

Although a Charter Review Committee has been formed, Council has not fully vetted the subject of elected officials' salaries. Thus, it would be premature to agree to meeting the ballot deadlines suggested in the Grand Jury report. See the response to Recommendation 15-02.

RECOMMENDATIONS

Recommendation 15-01: *Place on the June 2016 or November 2016 ballot a proposed amendment to the City Charter which would:*

Amend Section 12.1 by linking the salaries of councilmembers to an external benchmark effective July 1, 2017;

Amend Section 24.1 by linking the salary of the mayor to an external benchmark effective July 1, 2017;

Delete Section 41.1 which would then abolish the City of San Diego Salary Setting Commission effective June 30, 2017.

Response: The recommendation requires further analysis.

See response to Recommendation 15-02.

Recommendation 15-02: *Through the newly created Charter Review Committee, fully vet the recommended Salary Setting Amendment proposed here.*

Response: The recommendation requires further analysis.

The City Council's Charter Review Committee has been established and held its first meeting in January 2015. The Committee discussed the issue of salaries of elected officials at its March 2015 meeting, at which the Grand Jury presented its report, "Compensation of City of San Diego Elected Officials," and the IBA presented proposed responses to that report. The Committee requested input from the Salary Setting Commission prior to the proposed Grand Jury responses being considered by the full City Council.

The Salary Setting Commission subsequently met on June 22, 2015 and discussed a recommendation regarding elected officials' salaries. The recommendation is in line with the Grand Jury's recommendation for Charter amendments, which include tying the Mayor and Councilmembers' salaries to an external benchmark, and abolishing the Salary Setting Commission. The Commission voted to recommend Charter amendments that would tie the Mayor and City Council's salaries to salaries prescribe by State law for California Superior Court judges, as well as abolish the Salary Setting Commission.

Except for the effective date provision, these Charter amendments recommended by the Salary Setting Commission on June 22, 2015 are the same as those contained in a ballot proposal filed with the City Clerk by the Salary Setting Commission President in May of 2014. This ballot proposal was discussed at the June 2014 Economic Development and Intergovernmental Relations Committee meeting; however, it has not been heard by the City Council.

The Salary Setting Commission has recognized the difficult situation of Councilmembers having to vote to approve their own salaries. The Council has not increased the Mayor or Councilmembers' salaries for 12 years (including FY 2016). In background material provided as part of the submitted ballot proposal discussed above, the Salary Setting Commission "recommend[ed] that this matter go to the ballot with a clear expression to the public that this is a recommendation of the San Diego Salary Setting Commission, not the City Council. It should be clear the City Council is merely advancing *the Commission's recommendation* to the voters."

Because the proposed ballot measure for Charter amendments did not move forward and subsequent discussions have not produced consensus, further dialogue is warranted. The Charter Review Committee will be further vetting the issue of salaries of elected officials in calendar year 2016 when a number of issues related to elected officials are planned to be addressed.

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(R-2016-37)
COR. COPY 7/28/15

RESOLUTION NUMBER R- 309901

DATE OF FINAL PASSAGE JUL 28 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE CITY COUNCIL'S RESPONSE
TO THE 2014-2015 SAN DIEGO COUNTY GRAND JURY
REPORT TITLED "COMPENSATION OF CITY OF
SAN DIEGO ELECTED OFFICIALS."

WHEREAS, on February 3, 2015, the 2014-2015 San Diego County Grand Jury (Grand Jury) filed a report titled "Compensation of City of San Diego Elected Officials" (Report), that requested a response from the San Diego City Council (Council) on two findings and two recommendations in the Report; and

WHEREAS, under California Penal Code section 933(c), within 90 days after the filing of a report, each public agency which the Grand Jury reviewed, and about which it issued the report, must comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency; and

WHEREAS, the Council President requested and was granted an extension until August 6, 2015, for the Council's response to the Report; and

WHEREAS, the Grand Jury examined several issues relating to the San Diego City Charter's (Charter) provisions related to setting of the salaries of the Mayor and Council, and requested that the Council respond to the findings and to recommendations 15-01 and 15-02 in the Report; and

WHEREAS, the Office of the Independent Budget Analyst prepared a proposed response to the Report as set forth in IBA Report No. 15-04 REV, dated July 15, 2015, for the Council's consideration; and

WHEREAS, the proposed responses were discussed at the March 5, 2015, meeting of the Council's Charter Review Committee, before being considered by the full Council; and

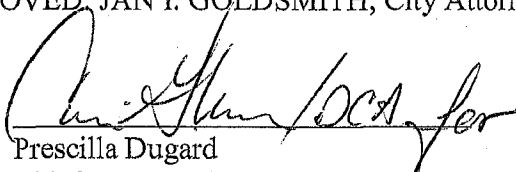
WHEREAS, under Charter section 280(a)(1), this resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the Council and not affecting the administrative service of the City under the control of the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council approves and adopts as its own the response to the 2014-2015 San Diego County Grand Jury Report titled "Compensation of City of San Diego Elected Officials," as set forth in IBA Report No. 15-04 REV, dated July 15, 2015.

BE IT FURTHER RESOLVED, that the Council President is authorized and directed, on behalf of the Council, to execute and deliver the above-described response to the Presiding Judge of the San Diego County Superior Court no later than August 6, 2015.

APPROVED: JAN I. GOLDSMITH, City Attorney

By


Prescilla Dugard
Chief Deputy City Attorney

PMD:ccm
July 23, 2015 COR. COPY
July 14, 2015
Or.Dept:IBA
Doc. No.: 1061821_2

Passed by the Council of The City of San Diego on JUL 28 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
David Alvarez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Date of final passage JUL 28 2015.

(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:

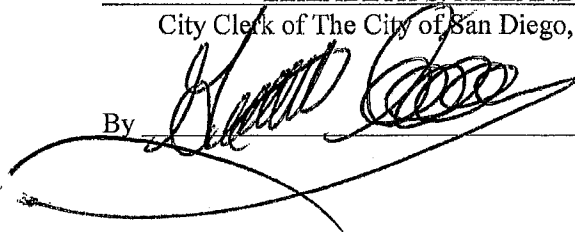
KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By  Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 309901