

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Number 3.20	Issue 11	Page 1 of 10
	Effective Date December 14, 2018		

1. PURPOSE

The purpose of this Administrative Regulation is to establish responsibilities and procedures for preparing, processing, and authorizing *Agenda Item Requests* (including *Action Items* and *Information Items*) for City Council (Council), Council Committee (Committee), Public Facilities Financing Authority, Housing Authority, or Successor Agency consideration.

2. SCOPE

This Administrative Regulation applies to staff from all City departments, Public Facilities Financing Authority, Civic San Diego, and the San Diego Housing Commission for the processing of *Agenda Item Requests*. This Administrative Regulation does not limit the ability of the Mayor, City Attorney, or independent department heads to be heard by Council under San Diego Charter section 270(d).

3. DEFINITIONS

- 3.1. *Ad Hoc Approval Workflow* - Abbreviated workflow used by Council Offices and select staff for processing *Agenda Item Requests* which require limited review and input by other departments.
- 3.2. *Agenda Item Approval System* - Electronic system providing for the preparation, routing for review and approval of Council and Committee *Agenda Item Requests*. The system also facilitates the City Clerk (Clerk) and Committee staff preparation of meeting agendas, associated back-up materials, and meeting results for the Council and the public.
- 3.3. *Agenda Item Request* - Set of documents and mechanism by which City or agency staff requests Council, PFFA, Housing Authority, or Successor Agency approval of actions reflected in a resolution or ordinance (*Action Item Request*) or places an item on a Committee or Council agenda to provide information (*Information Item Request*).
- 3.4. *Clearing Authorities* - (External Reviewing Departments) - Departments and programs selected by the *Originator* based upon the nature of the item for review and approval of the *Agenda Item Request*.

(Supersedes Administrative Regulation 3.20, Issue 10, effective October 1, 1994)

Authorized

[Signature on File]

CHIEF OPERATING OFFICER

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 2 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

- 3.5. Comptroller's Certificate - Certification by the Department of Finance that a specific amount of funds is or will be available in the City Treasury. This is required by City Charter on all actions which involve contracts, including amendments, or other obligations for the expenditure of public funds in the current fiscal year.
- 3.6. Council Committee Staff
- 3.6.1. Committee Consultant - Staff member assigned the responsibility for managing the agenda (placement of *Agenda Item Requests*) and meeting results of each Committee.
- 3.6.2. Committee Consultant Liaison - Staff member assigned the responsibility for compiling and publishing the Committee agendas and related *Agenda Item Request* materials.
- 3.7. Final Department Approver - Individual assigned the responsibility to approve specific types of *Agenda Item Requests* on behalf of an originating department (typically, the Department Director, Assistant Director or Deputy Director).
- 3.8. Director of Legislative Affairs - Individual assigned by the Council President to manage the Council agenda and the meeting date on which the *Agenda Item Request* will be heard in accordance with applicable rules.
- 3.9. Docket - Term historically used for the Council agenda.
- 3.10. Executive Management - Manager (Deputy/Assistant Chief Operating Officer, Chief Financial Officer, or Chief Operating Officer for Mayoral departments; Director or designee for non-Mayoral departments) authorized to provide final approval of an *Agenda Item Request* for docketing at Council or a Committee.
- 3.11. Mayoral Approval - Approval by the Mayor or authorized designee of all *Agenda Item Requests* which are originated by Mayoral departments:
- 3.11.1. Preliminary Mayoral Approval (Mayor's designee) should be obtained before the *Agenda Item Request* will be forwarded to *Clearing Authorities* (i.e. financial, environmental, contract compliance or legal reviewing departments). This does not mean that an item is approved and will be placed on the *Docket*.
- 3.11.2. Final Mayoral Approval (Deputy, Assistant and Chief Operating Officer or Chief Financial Officer, and Mayor's Docket Liaison) is required before the *Agenda Item Request* will be submitted to a Committee or the Council President's Office for placement on an agenda for Committee or Council action.

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 3 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

- 3.12. Noticed Public Hearing Item - An *Agenda Item Request* that requires additional noticing to the public.
- 3.13. Originator - Individual responsible for creating and routing the *Agenda Item Request* in the *Agenda Item Approval System*.

4. POLICY

4.1. Preparation of *Agenda Item Request*

- 4.1.1. Components of the *Agenda Item Request* will include the completed Action Request or Ad Hoc Request form, a Staff Report, Cost Accounting Table, if appropriate, and other related supporting documents as required to provide relevant information necessary to allow for an informed decision by the Council. The *Originator* of an *Agenda Item Request* should ensure that all components of the request are populated with accurate, complete and concise information.
- 4.1.2. The Staff Report is the key explanatory element of an *Agenda Item Request*. It should provide sufficient pertinent information to allow for a thorough understanding of the background, issues, actions requested, staff recommendation(s), fiscal considerations, and stakeholders involved. Content should include all material facts and significant developments associated with the subject matter, i.e. critical information necessary for the Council to make an informed decision, including any necessary findings. The Staff Report is a formatted template and each applicable section should be completed with the appropriate content; no section should be removed. (See Process Narrative PN-0007 for more detail about content).
- 4.1.3. Once prepared, *Agenda Item Requests* are routed through the workflow using the *Agenda Item Approval System* per Process Narrative PN-0007, including to necessary *Clearing Authorities* as described below.

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 4 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

4.2. Clearing Authority Review

4.2.1. Originators shall submit for *Clearing Authority Review* for *Agenda Item Requests* as provided below. A further description of each *Clearing Authority's* review is provided in 5.4. If uncertain, the *Originator* must contact the *Clearing Authority* to determine if review is required. (In the event of future organizational changes, the new equivalent organizational entity should perform the review indicated).

Clearing Authority	When review is required
City Attorney	All <i>Action items</i> and <i>Information items</i>
Debt Management	<i>Action Items</i> related to or involving public financings or debt issuance, project or state or federal loans, or items that may impact the City's existing or future issuance of debt
Docket Office	Non-Ad Hoc <i>Agenda Item Requests</i>
Environmental Analysis	<i>Action Items</i> (except Final Subdivision Maps)
Equal Opportunity Contracting	<i>Action Items</i> which involve the awarding of contracts, including amendments, or expenditure of public funds in which the City is compensating an entity (not City staff) for services rendered
Finance	<i>Action Items</i> involving expenditure of funds or which impact City revenues or expenditures
Grants Administration	<i>Action Items</i> to apply for or accept grant funding
Parks and Recreation	<i>Action Items</i> which expend Parks and Recreation Department funding or impact Parks and Recreation operations
Public Facilities Planning	<i>Action Items</i> involving Public Facility Financing Plans (PFFP), expenditure of Development Impact Fee (DIF) funds or Regional Transportation Congestion Improvement Program (RTCIP) funds
Public Utilities	<i>Action Items</i> spending Public Utilities funds, including the Water Fund, Metro Fund, Muni Fund, or combinations of those funds, and any request that impacts Public Utilities operations
Public Works Contracts	<i>Action Items</i> involving Architectural and Engineering Consultant contracts or contracts concerning public works projects (defined in SDMC 22.3003)
Purchasing and Contracting	<i>Action Items</i> involving contracts, including amendments, for goods, services, consultants or maintenance, procured through the Purchasing and Contracting Department
Risk Management	<i>Action Items</i> involving public liability, loss recovery, employee benefits, workers' compensation, and safety

4.2.2. All *Agenda Item Requests* which involve expenditure of funds from, or impact the operations of, a department beyond those noted in 4.2.1 should be reviewed and approved by that department.

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 5 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

4.2.3. The *Originator* shall ensure that any *Action Items* which involve the City’s contracting out of services have been reviewed and signed off by human resources staff outside the *Agenda Item Approval System*. This review should occur prior to the procurement or solicitation for those services and must be completed prior to initiation of an *Agenda Item Request*. Services may be exempt from the Contracting Out Review Process if the service being provided is listed on either the AFSCME Local 127 or MEA Agreement Exemption list. Please contact the Docket Office for more information.

5. RESPONSIBILITY

5.1. *Originator*

5.1.1. Prepares a clear, complete, concise and accurate *Agenda Item Request* and routes in a timely manner to the appropriate *Clearing Authorities* consistent with this Administrative Regulation, and to the appropriate Committee consistent with the Rules of Council (SDMC § 22.0101), using the *Agenda Item Approval System* per the process outlined in Process Narrative PN-0007.

5.1.2. Where the *Agenda Item Request* involves a contract or an amendment (see Public Works Contracts exception below):

- a. obtains the signature of the party with whom the City is contracting on one original and three copies prior to docketing (except when the other party is an agency higher than the City in which case agreements are signed after Council action);
- b. obtains City signatures promptly following Council action (within approximately 15 calendar days after the resolution or ordinance takes effect and contractor has submitted required documents);
- c. distributes final copies to the Clerk, appropriate purchasing agent, and contractor or vendor, and maintains one copy on file in the originating department; and
- d. processes any other documents requiring special handling or as specified in the resolution or ordinance.
- e. **For Public Works Contracts**, Public Works Contracts will obtain all City signatures and handle disbursement of the four wet signature documents in accordance with Public Works Department protocols.

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 6 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

5.2. Originating Final Department Approver

Reviews *Agenda Item Requests* for accuracy and completeness, as well as consistency with the content, reviewing requirements, and approval guidelines in this Administrative Regulation.

5.3. Mayor's Designee

Reviews *Agenda Item Requests* initiated by Mayoral departments for consistency with the Mayor's policies and objectives.

5.4. Clearing Authority

5.4.1. Reviews *Agenda Item Requests* identified in 4.2.1 for consistency with the criteria established by that *Clearing Authority*, requesting necessary changes be made by the *Originator* as necessary to gain *Clearing Authority* approval. If responsible for preparation of an attachment to the *Agenda Item Request*, prepares the necessary document(s) and uploads and attaches to the *Agenda Item Request*. If an *Agenda Item Request* is routed to a *Clearing Authority* in error, that *Clearing Authority* may cancel its review.

a. City Attorney

- i. reviews the proposed item and all supporting information, including contracts and environmental clearance language, for compliance with all laws, City Charter, Municipal Code and Council Policies;
- ii. prepares and attaches any necessary ordinances and resolutions for Council action;
- iii. completes the "Required Attorney Information" tab in the *Agenda Item Approval System* to provide Brown Act compliant descriptive language for inclusion on the Council agenda;
- iv. determines if special noticing or 6-vote approval is required, and identifies if the action is subject to Mayoral veto;
- v. provides wet signature resolution/ordinance to Clerk via department business process; and
- vi. may provide additional legal memoranda or reports.

b. Debt Management reviews requests for consistency with the City's Debt Policy, financing conditions, and obligations and determines any possible impacts on the City's existing or future issuance of debt.

c. Docket Office reviews the clarity and adequacy of the Staff Report in describing and justifying any proposed actions and associated issues,

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 7 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

inclusion of appropriate *Clearing Authorities* in the review process, and accuracy and completeness of the overall *Agenda Item Request* package including supporting information and legal, financial, and workforce related documents.

- d. Environmental Analysis reviews to ensure discretionary action by the Council contains an environmental clearance statement approved by either the Planning Department Environment & Policy Analysis Division, or for any action associated with a land development permit both publicly or privately initiated, by the Development Services Department Environmental Analysis Section (EAS) based on compliance with the California Environmental Quality Act (CEQA) or any applicable federal environmental requirements. Environmental Analysis staff shall ensure that requests for resolutions certifying an Environmental Impact Report (EIR) include information on any required CEQA findings or statement of overriding considerations.
- e. Equal Opportunity Contracting Program (EOCP) reviews to ensure fairness in the expenditure of public dollars. Criteria evaluated include: nature of the contract and funding sources, diversity of the firm’s workforce based on review of a recent (within past 12 months) work force composition document and diversity of subject consultants/subcontractors, and use of certified firms. If deficiencies are noted, then EOCP requests and evaluates an Equal Opportunity Plan. When required, EOCP staff will prepare and attach an EOCP Evaluation and Workforce Analysis Report for Council consideration. EOCP has prepared a memorandum of request types that are exempt from EOCP review. This memo is available from Docket Office staff.
- f. Finance reviews the funding of the requested action. Criteria evaluated include clarity of the fiscal considerations language, accuracy, and validity of any fiscal actions required based on the funding sources and possible restrictions on the funding sources used. Conformance with approved budgets, financing plans, or bond packages is also evaluated. (Note: Standard language has been developed for typical financial actions, which is available from Docket Office staff.) Additionally, the Department of Finance reviews funding sources and available fund balances and prepares and attaches a *Comptroller’s Certificate* when required once the availability of funds is confirmed. Finance shall return a request to the originating department if a certificate of availability of funds cannot be issued.

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 8 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

- g. Grants Administration reviews for consistency with established guidelines, Council Policies, and AR 1.80.
- h. Parks and Recreation reviews to ensure department impacts, issues, or concerns are identified and addressed.
- i. Public Facilities Planning reviews for compliance with the conditions and obligations associated with PFFPs, or the expenditure of DIF or RTCIP funds.
- j. Public Utilities reviews to ensure department impacts, issues, or concerns are identified and addressed.
- k. Public Works Contracts reviews for compliance with City contracting requirements and consistency with existing contractual obligations.
- l. Purchasing and Contracting reviews for consistency with applicable Charter and Municipal Code requirements.
- m. Risk Management reviews to ensure any funding or policy issues or concerns are identified and addressed.

5.5. Executive Management

Reviews and provides final approval before the *Agenda Item Request* is submitted to Council or a Committee for placement on an agenda.

5.6. Council Committee Staff

Committee Consultant assigns a date and determines placement on the Committee agenda for each *Agenda Item Request*. *Committee Consultant Liaison* prepares and publishes the Committee agenda using the *Agenda Item Approval System*, and following the Committee meeting, summarizes the Committee action/s taken and prepares the Committee Action Sheet using the *Agenda Item Approval System*, then forwards the *Agenda Item Request* for further processing.

5.7. Docket Office

5.7.1. Administers and facilitates the general use of the *Agenda Item Approval System*; provides general oversight of, and monitors compliance with, the roles and responsibilities outlined in this Administrative Regulation; reviews *Agenda Item Requests* as they route through the workflow and are submitted to the *Director of*

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 9 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

Legislative Affairs in a timely manner per Process Narrative PN-0007.

5.7.2. Following Council action, collects resolutions/ordinances requiring Mayoral action from the Clerk and provides them to the Mayor for action, and returns the resolutions/ordinances to the Clerk once acted upon by the Mayor as required by Charter. Delivers associated contracts (or amendments), if applicable, to the Clerk with the resolutions or ordinances for processing. Collects processed contracts from the Clerk and returns them to the originating department for final signature.

5.8. Director of Legislative Affairs

Reviews *Agenda Item Requests* and *Noticed Public Hearing Requests*, in the *Agenda Item Approval System*, and specifies docket date on which item will be heard and indicates whether the request is to be placed on the Consent, Adoption, or Noticed Hearing portion of the *Docket*.

5.9. City Clerk

- 5.9.1. Prepares and publishes *Docket* using *Agenda Item Approval System*, placing items on the *Docket* per direction of the *Director of Legislative Affairs* when required (i.e. certain public notices do not involve such direction), and the information contained within the *Agenda Item Request*.
- 5.9.2. Following Council action, prepares the resolutions/ordinances for Mayor's signature and transmits to the Mayor, via Docket Office staff, within 48 hours of Council passage per Charter section 280.
- 5.9.3. Processes the resolutions/ordinances and posts finalized documents to the City's public website. If contracts or amendments are associated with a resolution/ordinance, processes the contracts and returns them to the Docket Office. Processes any other documents requiring special handling as requested by the originating department or as specified in the resolution or ordinance.

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT	Number 3.20	Issue 11	Page 10 of 10
PROCESSING AGENDA ITEM REQUESTS FOR COUNCIL, PUBLIC FACILITIES FINANCING AUTHORITY, HOUSING AUTHORITY, OR SUCCESSOR AGENCY	Effective Date December 14, 2018		

APPENDIX

Legal References

City Charter, Section 39 (Chief Financial Officer)
City Charter, Section 280 (Approval or Veto of Council Actions by Mayor)
San Diego Municipal Code Section §22.0101 - Rules of Council
San Diego Municipal Code Section §22.3003 - Contract Definitions

Forms Involved

Attachment 1 - Staff Report
Attachment 2 - Cost Accounting Table

Subject Index

Agenda Item Request
Process Narrative PN-0007 - Prepare and Process an Agenda Item Request for Council, Public Facilities Financing Authority, Housing Authority or Successor Agency Consideration

Administering Department

Docket Office