

**Recommended City Council Responses to Findings and Recommendations
in Grand Jury Report “San Diego City Attorney’s Office”**

GRAND JURY FINDINGS (Numbered in sequential order)

***Finding 1:** Article V, §40 of the San Diego City Charter no longer reflects the generally held viewpoint concerning the role an elected City Attorney should play as general counsel of a modern Municipal Corporation and should be amended.*

Mayor’s Response: The Mayor agrees with this finding.

IBA Recommendation: Join the Mayor’s Response.

***Finding 2:** San Diego Deputy City Attorneys serve at the pleasure of the City Attorney and are subject to dismissal, with or without cause, provided only that notice is given.*

Mayor’s Response: The Mayor agrees with this finding.

IBA Recommendation: Join the Mayor’s Response.

***Finding 3:** San Diego Deputy City Attorneys enjoy significantly less job security than their counterparts in the offices of the District Attorney and County Counsel.*

Mayor’s Response: The Mayor agrees with this finding.

IBA Recommendation: Join the Mayor’s Response.

***Finding 4:** The departure of so many experienced Deputy City Attorneys has had a negative effect on conduct of the city’s business.*

Mayor’s Response: The Mayor agrees with this finding.

IBA Recommendation: Join the Mayor’s Response.

GRAND JURY RECOMMENDATIONS

Recommendation 08-122: *Draft an amendment to Article V, § 40 of the San Diego City Charter, specifying more clearly the qualifications, duties and responsibilities of the City Attorney, and submit it to the electorate at an appropriate future date.*

Mayor's Response: The recommendation requires further analysis. The Grand Jury should be commended on their thoughtful and concise suggested changes with regard to Charter Section 40; however, these issues require greater exploration and should be more fully considered by a future charter committee.

IBA Recommendation: Join the Mayor's Response.

Recommendation 08-123: *Explore moving Deputy City Attorneys who have completed an appropriate probationary period from the Unclassified to the Classified Civil Service, in order to provide greater stability in the City Attorney's Office. If this is found to be feasible, amend the city charter as necessary.*

Mayor's Response: The recommendation requires further analysis. As stated previously, the Grand Jury's thorough analysis and discussion of this matter is greatly appreciated; however as with Recommendation 08-122 the issues surrounding the Deputy City Attorneys should be taken up in a future study of the San Diego City Charter, particularly Section 40.

IBA Recommendation: Join the Mayor's Response.