



**MEMORANDUM
MAYOR BOB FILNER**

DATE: January 18, 2013
TO: Elizabeth Maland, City Clerk
FROM: Mayor Bob Filner *Bob Filner*
SUBJECT: Appointments to the San Diego Unified Port District Board of Commissioners

I am returning the appointments of the City of San Diego representatives to the San Diego Unified Port District Board of Commissioners to the City Council. While the manner of the vote raises serious questions and concerns, the reasons for this action are as follows:

- 1) Due to a vacancy on the City Council, the residents of District Four were unable to participate in this important decision. A significant number of residents of District Four urged a postponement to allow the representative of District Four to have a voice in the appointment of two-thirds of the City's representatives on the Port.
- 2) The San Diego Unified Port District plays a unique and important role in the economic and cultural life of our region. It is of such importance that the City Council and the Mayor should convene a workshop to discuss and establish a consensus on the City's Vision and Policy for our Port. This workshop would allow an open and frank dialogue which, combined with the input from stakeholders, will enable us to develop a set of goals and objectives for our waterfront.
- 3) The City Council should review its policies and procedures regarding the appointment process and establish a method of ensuring the accountability of our appointed Commissioners. This should be more than just a popularity or personality contest. At a minimum, the City Council should:
 - a. Set minimum qualifications – including but not limited to educational background, and years of proven professional experience in occupations that demonstrate knowledge of port operations and functions much like what is required for many of our City boards and commissions.
 - b. Establish a common application to be completed by every applicant.

- c. Establish a process to review qualifications and professional experience to screen applications. A process similar to that used in the vetting and selection of the public members of the Council's Audit Committee should be established.
 - d. Establish a clear and transparent voting procedure to select our Commissioners.
 - e. Establish periodic appearances by the Commissioners at City Council meetings to report on actions taken by the Port District and to receive direction from the Council.
- 4) The selection process was flawed, with different rules for the selection of each nominee for each vacancy. The selection process violated the procedures outlined in Council Policy 000-13 and the City Council failed to formally waive established Council Policy. Furthermore, the resolution presented by the City Attorney is flawed. Both appointments are presented on a single resolution for signature, although the City Council took two separate actions to fill two vacancies, and each action was taken under markedly different rules.

Due to the singular importance of the San Diego Unified Port District, I look forward to working with Council President Todd Gloria and the Members of the City Council to set a vision and policy for the Port District and to clarify the appointment and selection process of the City of San Diego's Port Commissioners.

cc: The Honorable Todd Gloria, Council President
Honorable City Councilmembers