



**COUNCILMEMBER DAVID ALVAREZ**  
**City of San Diego**  
**Eighth District**

**MEMORANDUM**

**DATE:** January 24, 2013

**TO:** Honorable City Attorney Jan Goldsmith

**FROM:** Councilmember David Alvarez

**SUBJECT:** City Council Port Appointment Procedures

---

In the City Council's last hearing concerning the appointment of multiple candidates to the San Diego Port Commission, the process followed to vote for and appoint the proposed candidates was unclear and ambiguous. Ensuring that the city has an established procedure for the Port Commissioner appointment process is vital to ensuring an open, transparent and fair hearing for all interested parties. As such, I request that the City Attorney's current interpretation of the Port Commissioner appointment process be provided and that the following questions be addressed in writing so that the current procedure can be clarified and amended, if needed:

1. When multiple appointments are being made at the same hearing should the City Council appoint the candidates in one resolution together or two separate resolutions?
2. Can the City Council change the timing and length of Port Commissioner terms as to allow for staggered terms, making multiple vacancies coming before the City Council at the same time less likely? Can the City Council establish different terms for various seats, for instance having one seat be a four year term, while another seat be for a two year term?
3. Concerning the voting procedure during future City Council meetings, can Council Policy be amended to specify that the least vote getter is eliminated after every round and in the case of a tie, multiple candidates be "dropped?"

4. In an instance where two vacancies occur at once, can candidates be limited to being nominated for a specific designated seat (if a process is in place as outlined in question number 2)?
5. Additionally, I would request a written response to additional questions raised in my January 7, 2013 memorandum to you, as I believe it raises other questions that should be addressed prior to future hearing appointing Port Commissioners.

Thank you for your attention to this matter. Your timely response is greatly appreciated.

CC: Honorable Mayor Bob Filner  
Honorable City Councilmembers  
Andrea Tevlin, Independent Budget Analyst