

RESOLUTION No. 215551

Adopted on MAR 17 1976

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That this Council hereby requests the State Legislature to initiate legislation to repeal Section 6254(c) of the California Government Code and add Section 6254.1 to the California Government Code as set forth in Exhibit A attached hereto and made a part hereof. The purpose of these changes is to assure that The City of San Diego and its employees enjoy the same rights, in civil litigation, as any private entity or citizen.

APPROVED: JOHN W. WITT, City Attorney

By Paul E. Robinson
Paul E. Robinson
Deputy City Attorney

PER:k:046
3-24-76
Or.Dept.: Mayor

MICROFILMED
MAY 23 1978

§ 6254.1. Public employee files.

Any person, whether or not a party, has a privilege to refuse to disclose, and to prevent another from disclosing his or her personnel and medical file maintained by any governmental agency if the privilege is claimed by:

(a) The holder of the privilege.

(b) A person who is authorized to claim the privilege by the holder of the privilege.

(c) There is no privilege under this section as to a communication relevant to an issue concerning the condition of the person if such issue has been tendered by:

(1) The person;

(2) Any party claiming through or under the person;

(3) Any party claiming as a beneficiary of the person through a contract to which the person is or was a party; or

(4) The plaintiff in an action brought under Section 376 or 377 of the Code of Civil Procedure for damages for the injury or death of the person.

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EXHIBIT A

215551

C0045

Passed and adopted by the Council of The City of San Diego on MAR 17 1976
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By Kathleen Martiny, Deputy.

Office of the City Clerk, San Diego, California

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