

200
9/25/06

RESOLUTION NUMBER R- 301924

DATE OF FINAL PASSAGE SEP 25 2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO ACCEPTING THE MAYOR'S
RECOMMENDATION TO DENY THE APPEAL OF OFFICER
JEFF CHIONE FOR CERTAIN ANNUAL LEAVE BENEFITS.

WHEREAS, on September 11, 2006 the City Council considered the appeal of a denial by the City's Department of Labor Relations of Officer Jeff Chione's claim to certain annual leave benefits [Chione Grievance], pursuant to Step VI of the grievance process established by Article 24, Grievance Procedure of the Memorandum of Understanding between the City of San Diego and the San Diego Police Officers Association; and

WHEREAS, on September 11, 2006 the City's Department of Labor Relations and the Police Officers Association, on behalf of Officer Chione, were given the opportunity to provide documents and to present their views regarding the Chione Grievance; and

WHEREAS, at the September 11, 2006 meeting the City Council directed the City Attorney to prepare a memorandum regarding the Chione Grievance; and

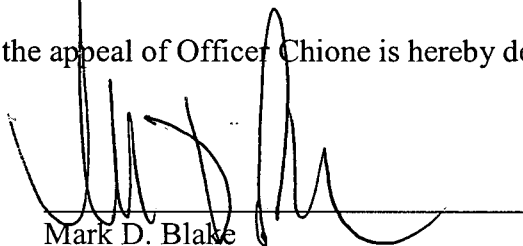
WHEREAS, on September 25, 2006 the City Council reconvened to consider the memorandum of the City Attorney, together with all other evidence heretofore presented in respect of the Chione Grievance, and to make a final determination regarding the appeal; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, where a public hearing was required by law implicating due process rights of individuals affected by the

decision, and where the Council was required by law to consider information at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego that, based upon the evidence presented to the City Council, the recommendation of the Mayor is hereby accepted, and the appeal of Officer Chione is hereby denied.

By



Mark D. Blake
Chief Deputy City Attorney

LE:ai
09/26/06
Or.Dept:Mayor
R-2007-350

SEP 25 2006

Passed by the Council of The City of San Diego on _____, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 25 2006

AUTHENTICATED BY:

JERRY SANDERS
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

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