

ORDINANCE NUMBER O-20051 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 16 2011

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO EXEMPTING A DEPUTY DIRECTOR POSITION  
IN THE TRANSPORTATION AND STORM WATER  
DEPARTMENT FROM THE CLASSIFIED SERVICE OF THE  
CITY OF SAN DIEGO.

WHEREAS, on March 3, 2011, the Civil Service Commission of the City of San Diego (Civil Service Commission) reviewed a request from the Transportation and Storm Water Department (Department) to exempt a Deputy Director position from the Classified Service of the City of San Diego; and

WHEREAS, the Deputy Director will head the Department's Administration and Right-of-Way Coordination Division, and will exercise a wide range of management responsibilities, including the development and implementation of City of San Diego policies and procedures relating to work by City departments, developers, contractors, private utilities, and other private agencies and entities, within the public right-of-way; and

WHEREAS, the Deputy Director will also oversee department budget matters related to work within the public right-of-way; and

WHEREAS, planning and coordination of work performed within the public right-of-way is necessary to maximize the life of the City's valuable infrastructure assets; and

WHEREAS, San Diego Charter section 117 states that the Unclassified Service shall include "[m]anagerial employees having significant responsibilities for formulating or administering departmental policies and programs. Each such position shall be exempted from the Classified

Service by ordinance, upon the initiation of the appropriate appointing authority and after receiving the advisory review and comment of the Civil Service Commission and the approval of the City Council”; and

WHEREAS, upon review of the duties and responsibilities of the Deputy Director position, as provided by the Transportation and Storm Water Department, the Civil Service Commission found that the justification for the position to be placed in the Unclassified Service meets the intent of Charter section 117; and

WHEREAS, the finding of the Civil Service Commission is set forth in a memorandum dated March 15, 2011, prepared on behalf of the Civil Service Commission by Hadi Dehghani, Personnel Director, to the Honorable Council President and City Council; NOW, THEREFORE,

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

Section 1. That pursuant to San Diego Charter section 117(a)(17), after having been reviewed on March 3, 2011, and commented upon favorably by the Civil Service Commission, as meeting the San Diego Charter criteria for exemption from the Classified Service, and after having considered and reviewed the finding of the Civil Service Commission, as set forth in the Memorandum to the Honorable Council President and City Council, from Hadi Dehghani, Personnel Director, on behalf of the Civil Service Commission, dated March 15, 2011, attached hereto as Attachment A and fully incorporated herein by reference, the position of Deputy Director in the Transportation and Storm Water Department, performing the duties described in the March 15, 2011, Memorandum, shall be and are hereby exempted from the Classified Service and declared to be in the Unclassified Service of the City of San Diego.

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED AS TO FORM: JAN I. GOLDSMITH, City Attorney

By Joan F. Dawson  
Joan F. Dawson  
Deputy City Attorney

JFD:ccm  
4/4/11  
Or.Dept:T&SW

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 10 2011.

ELIZABETH S. MALAND  
City Clerk

By Carmela J. Trujano  
Deputy City Clerk

Approved: 5-16-11  
(date)

JSL  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor