

52 12/10

(O-2012-38)  
(COR.COPY)

ORDINANCE NUMBER O- 20116 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 15 2011

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2,  
DIVISION 43 OF THE SAN DIEGO MUNICIPAL CODE  
BY AMENDING SECTIONS 22.4302 AND 22.4308, ALL  
RELATING TO THE EQUAL BENEFITS ORDINANCE.

RECEIVED  
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SAN DIEGO, CALIF.  
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WHEREAS, in November 2010, the City Council added the Equal Benefits Ordinance to the Municipal Code, to take effect on January 1, 2011; and

WHEREAS, slight modifications to the existing provisions will clarify the intention of the Equal Benefits Ordinance; and

WHEREAS, the Rules Committee on October 12, 2011 recommended forwarding this action to the City Council; NOW, THEREFORE,

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

Section 1. That Chapter 2, Article 2, Division 43, of the San Diego Municipal Code is amended by amending Sections 22.4302 and 22.4308, to read as follows:

**§ 22.4302 Definitions**

For purposes of this Division, defined terms appear in italics. The following definitions apply in this Division:

*Benefits through Contractor* [No change in text.]

*Domestic partners* means any two adults in a relationship pursuant to the requirements for filing as domestic partners under California Family Code section 297 and who have registered as domestic partners with a governmental entity pursuant to state or local law authorizing such registration, or with an internal registry maintained by the employer of at least one of the *domestic partners*.

*Equal benefits* [No change in text.]

**§ 22.4308 Exceptions**

This Division does not apply to:

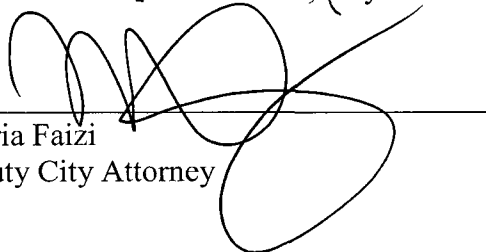
- (a) *Contracts* with a *sole source* or with the State of California, counties, districts, public authorities, joint power agencies, and any other public entity. This exception does not apply to non-profit organizations or non-profit corporations awarded a *contract* per Section 23.3222.
- (b) through (e) [No change in text.]

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. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
\_\_\_\_\_  
Nooria Faizi  
Deputy City Attorney

NF:mb:cfq

10/24/11

**12/06/11 COR. COPY**

Or.Dept:Admin

Doc.No:267454

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego,  
at its meeting of DEC 06 2011

ELIZABETH S. MALAND, City Clerk

By   
Deputy City Clerk

Approved: 12.15.11  
(date)

  
JERRY SANDERS, Mayor

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

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

Office of  
The City Attorney  
City of San Diego

MEMORANDUM  
MS 59

(619) 533-5800

**DATE:** March 3, 2015  
**TO:** Elizabeth Maland, Office of the City Clerk  
**FROM:** City Attorney  
**SUBJECT:** Correction to the Equal Benefits Ordinance section 22.4308

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In 2012, San Diego Ordinance O-20148 (May 23, 2012) renumbered San Diego Municipal Code section 22.3222. However, this change was not reflected in references to section 22.3222 found in the Equal Benefits Ordinance. In accordance with Municipal Code section 11.0207, the City Attorney is authorized to make such revisions by memorandum.

The changes, provided in strikeout format, are as follows:

**§22.4308**      **Exceptions**


This Division does not apply to:

- (a) *Contracts with a sole source or with the State of California, counties, districts, public authorities, joint power agencies, and any other public entity. This exception does not apply to non-profit organizations or non-profit corporations awarded a contract per ~~§section 23.322222.3210.~~*

Thank you for your assistance in this matter.

JAN I. GOLDSMITH, CITY ATTORNEY

By



Lara Easton  
Deputy City Attorney

LEE:cw  
Doc. No. 955502

Passed by the Council of The City of San Diego on DEC 06 2011, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<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"/>
Carl DeMaio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 15 2011

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 [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 08 2011, and on DEC 15 2011

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

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

By [Signature], Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 20116