

ORDINANCE NUMBER O- 20476 (NEW SERIES)

DATE OF FINAL PASSAGE APR 22 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO EXEMPTING FIVE PROGRAM MANAGER
POSITIONS IN THE RISK MANAGEMENT DEPARTMENT
FROM THE CLASSIFIED SERVICE OF THE CITY OF
SAN DIEGO.

WHEREAS, on February 5, 2015, the City of San Diego (City)'s Civil Service Commission reviewed a request from the Risk Management Department (Department) to exempt five Program Manager positions from the Classified Service; and

WHEREAS, the first Program Manager position will be responsible for administering the Flexible Benefits Plan, Employee Savings Plans, the Retiree Medical Trust, and the Long Term Disability and Employee Assistance Programs; serving as the plan administrator for various retirement plans; and developing citywide training, policies and procedures for the plans; and

WHEREAS, the second Program Manager position will be responsible for managing the City's insurance contracts, liability risk, and loss recovery efforts; participating in confidential settlement conferences; and acting as the City's representative in the California State Association of Counties; and

WHEREAS, the third Program Manager position will be responsible for creating and overseeing citywide safety practices, policies, and related training as well as ensuring compliance with federal, state, county, and City safety-related regulations; and

WHEREAS, the fourth Program Manager position will be responsible for managing and overseeing the City's Workers' Compensation Program, representing the City at the State Workers' Compensation Appeals Board, and developing policies and procedures to comply with new or revised State Workers' Compensation laws; and

WHEREAS, the fifth Program Manager position will be responsible for overseeing the Department budget and Public Liability, Long Term Disability and Workers' Compensation funds, and ensuring reserve funding is revised and complies with the City's reserve policy; and

WHEREAS, these positions are part of the Department's reorganization, and are critical to effective management and operational functions of the Department; and

WHEREAS, Charter section 117(a)(17) 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, on February 5, 2015, upon review of the duties and responsibilities of the five Program Manager positions, as provided by the Department, the Civil Service Commission determined that the five Program Manager positions meet the standard set forth in Charter section 117(a)(17) to be placed in the Unclassified Service; and

WHEREAS, the determinations of the Civil Service Commission are set forth in a memorandum dated February 10, 2015, from Hadi Dehghani, Personnel Director, to the Honorable Council President and Council; NOW, THEREFORE,

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

Section 1. That the Council has received and reviewed a Memorandum from Personnel Director Hadi Dehghani, dated February 10, 2015, which documents that, on February 5, 2015, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department to exempt five Program Manager positions from the Classified Service. The first Program Manager position will be responsible for administering the Flexible Benefits Plan,

Employee Savings Plans, the Retiree Medical Trust, and the Long Term Disability and Employee Assistance Programs; serving as the plan administrator for various retirement plans; and developing citywide training, policies, and procedures for the plans. The second Program Manager position will be responsible for managing the City's insurance contracts, liability risk, and loss recovery efforts; participating in confidential settlement conferences; and acting as the City's representative in the California State Association of Counties. The third Program Manager position will be responsible for creating and overseeing citywide safety practices, policies, and related training and ensuring compliance with federal, state, county, and City safety-related regulations. The fourth Program Manager position will be responsible for managing and overseeing the City's Workers' Compensation Program; representing the City at the State Workers' Compensation Appeals Board; and developing policies and procedures to comply with new or revised State Workers' Compensation laws. The fifth Program Manager position will be responsible for overseeing the Department budget and Public Liability, Long Term Disability and Workers' Compensation funds, and ensuring reserve funding is revised and complies with the City's reserve policy.

Section 2. That pursuant to Charter section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City five Program Manager positions in the Department, performing the duties set forth in the February 10, 2015, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and Council, and in this ordinance.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. 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 Joan F. Dawson
Joan F. Dawson
Deputy City Attorney

JFD:cm
March 6, 2015
Or.Dept: Risk Management
Doc. No.: 968668

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 07 2015.

ELIZABETH S. MALAND
City Clerk

By Steph Beady
Deputy City Clerk

Approved: 4/21/15
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 07 2015, 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"/>
Lorie Zapf	<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"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<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"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 22 2015

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

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

By Sty Ready, 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

MAR 24 2015, and on APR 22 2015

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

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

By Sty Ready, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <u>20476</u></p>
