

ORDINANCE NUMBER O- 20732 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 01 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO EXEMPTING THREE PROGRAM
COORDINATOR POSITIONS IN THE CITY TREASURER'S
OFFICE FROM THE CLASSIFIED SERVICE.

WHEREAS, on September 1, 2016, the City of San Diego (City)'s Civil Service Commission reviewed a request from the City Treasurer's Office (Department) to exempt three Program Coordinator positions from the Classified Service; and

WHEREAS, these positions will assist in the administration and enforcement of the City's new Earned Sick Leave and Minimum Wage Ordinance (ESL & MW Ordinance), under the direction of the ESL & MW Ordinance Program Manager; and

WHEREAS, the Program Coordinator Positions will assist in the development of policies and procedures for the ESL & MW Ordinance Enforcement Office; conduct outreach to educate business owners and community groups; evaluate all complaints received and determine if a Notice of Violation needs to be issued; conduct field investigations and prepare documentary evidence; facilitate settlement conferences, negotiate penalties, or make a determination to go directly to an independent hearing officer; and prepare reports and presentations for distribution to management and the City Council; and

WHEREAS, San Diego Charter (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 September 1, 2016, upon review of the duties and responsibilities of the Program Coordinator positions, as provided by the Department, the Civil Service Commission determined that the Program Coordinator 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 September 2, 2016, from 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 the City Council has received and reviewed a memorandum from Personnel Director Hadi Dehghani, dated September 2, 2016, which documents that, on September 1, 2016, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department to exempt three Program Coordinator positions from the Classified Service. The Program Coordinator positions will assist in the development of policies and procedures for the ESL & MW Ordinance Enforcement Office; conduct outreach to educate business owners and community groups; evaluate all complaints received and determine if a Notice of Violation needs to be issued; conduct field investigations and prepare documentary evidence; facilitate settlement conferences, negotiate penalties, or make a determination to go directly to an independent hearing officer; and prepare reports and presentations for distribution to management and the City Council.

Section 2. That pursuant to Charter section 117(a)(17), with the Civil Service Commission's review and approval, the City Council exempts from the Classified Service and declares to be in the Unclassified Service of the City three Program Coordinator positions, performing the duties set forth in the September 2, 2016, memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City 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 City 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
September 7, 2016
Or.Dept: City Treasurer
Doc. No.: 1346128

I certify that this Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 18 2016.

ELIZABETH S. MALAND
City Clerk

By Linda Lewis
Deputy City Clerk

Approved: 10/31/16
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

(Note: The date of final passage is November 1, 2016, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on OCT 18 2016, 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 NOV 01 2016

AUTHENTICATED BY:

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

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

(Seal)

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

OCT 04 2016

NOV 01 2016

, and on _____.

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.

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

(Seal)

By [Signature], Deputy

Office of the City Clerk, San Diego, California

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