

ORDINANCE NUMBER O- 20998 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 10 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO EXEMPTING ONE PROGRAM MANAGER POSITION IN THE PURCHASING AND CONTRACTING DEPARTMENT FROM THE CLASSIFIED SERVICE OF THE CITY OF SAN DIEGO.

WHEREAS, on July 5, 2018, the San Diego Civil Service Commission (Civil Service Commission) reviewed a request from the Purchasing and Contracting Department (Department) to exempt a Program Manager position from the Classified Service for the City of San Diego (City); and

WHEREAS, the Program Manager position will oversee and manage the City's Administrative Appeals Program for non-criminal administrative citations arising from municipal code and parking violations; and

WHEREAS, this position will have primary responsibility for all activities related to administrative hearings to include establishing processes and policies for the Administrative Appeals Program, which provides administrative hearing services to City departments that enforce civil codes and due process procedures; working with City departments and the Office of the City Attorney to ensure cases are filed according to local and state requirements; leading the development of applicable administrative regulations; overseeing and managing hearing officers; supervising an existing Program Coordinator responsible for the Parking Citation Administrative Appeals Program; and reviewing, analyzing, and approving written decisions; and

WHEREAS, San Diego Charter (Charter) section 117 provides that the Unclassified Service shall include "[m]anagerial employees having significant responsibilities for formulating and administering department policies and programs. Each such position shall be exempt 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 Program Manager position as set forth by the Department, the Civil Service Commission finds that the position meets the requirements set forth in Charter section 117 to exempt it from the Classified Service; NOW, THEREFORE,

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

Section 1. That pursuant to Charter section 117(a)(17), the Department initiated advisory review and comment from the Civil Service Commission relating to the proposed exemption of a Program Manager from the Classified Service, and the Civil Service Commission reviewed the proposed exemption on July 5, 2018, and commented favorably upon it, as meeting Charter criteria for placement of the Program Manager in the Unclassified Service. 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 Douglas Edwards, Personnel Director, on behalf of the Civil Service Commission, dated July 12, 2018, the Council now exempts from the Classified Service the Program Manager position overseeing and managing the City’s Administrative Appeals Program for non-criminal administrative citations arising from municipal code and parking violations, performing the specific duties described in the July 12, 2018 Memorandum, and declares the position to be in the Unclassified Service.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written or printed copy having been made available to the 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: MARA W. ELLIOTT, City Attorney

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

JFD:jvg
September 10, 2018
Or.Dept: Purchasing and Contracting
Doc. No.: 1831684

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 09 2018.

ELIZABETH S. MALAND
City Clerk

By Linda Bruen
Deputy City Clerk

Approved: 10/10/18
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

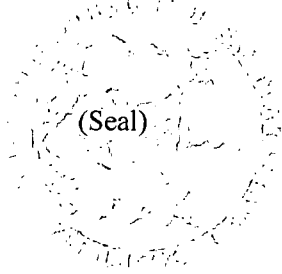
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 09 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 10 2018

AUTHENTICATED BY:



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

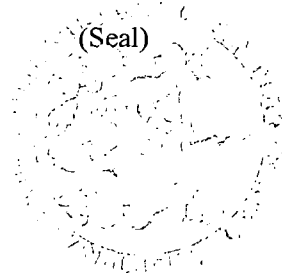
ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, 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

SEP 25 2018, and on OCT 10 2018

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.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 20996