

ORDINANCE NUMBER O- 21109 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 09 2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO EXEMPTING TWO PROGRAM MANAGER
POSITIONS IN THE HUMAN RESOURCES DEPARTMENT
FROM THE CLASSIFIED SERVICE OF THE CITY OF
SAN DIEGO.

WHEREAS, on June 24, 2019, the San Diego Civil Service Commission (Civil Service Commission) reviewed a request from the Human Resources Department (Department) to exempt two Program Manager positions from the Classified Service of the City of San Diego (City);

WHEREAS, the positions will serve as liaison to the Public Utilities Department by providing guidance and policy advice on labor and employment issues; advise the department on grievance resolution, disciplinary actions and appeals, and federal and state employment and labor laws; participate in labor negotiations; analyze proposals before meeting and conferring with impacted employee organizations; perform duties similar to those of existing Human Resources Officer positions in the Department; and develop labor relations policies such as memorandum of understanding language related to wages, hours, and other terms and conditions of employment, department work standards, and work schedules and agreements with employee organizations; and

WHEREAS, San Diego City Charter (Charter) section 117 states 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 two Program Manager positions as described by the Department to the Civil Service Commission, the Civil Service Commission found they meet the intent of Charter section 117 to exempt the positions from the Classified Service; and

WHEREAS, the finding by the Civil Service Commission is presented to the Council as set forth in the memorandum dated June 27, 2019 to the Honorable Council President and members of the City Council, prepared on behalf of the Civil Service Commission by the Personnel Director; NOW, THEREFORE,


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

Section 1. That pursuant to Charter section 117, the Department initiated advisory review and comment from the Civil Service Commission related to the proposed exemption of two Program Manager positions from the Classified Service. On June 24, 2019, the Civil Service Commission reviewed the proposed exemptions and commented favorably upon them as meeting Charter section 117 criteria for placement of the Program Manager positions in the Unclassified Service. Having considered and reviewed the finding of the Civil Service Commission, as set forth in the memorandum dated June 27, 2019 to the Honorable Council President and members of the City Council, prepared on behalf of the Civil Service Commission by the Personnel Director, the Council now exempts from the Classified Service the Program Manager positions identified in the memorandum by the Department, performing the duties described in the memorandum, and declares the positions 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 
Miguel Merrell
Deputy City Attorney

MM:jvg
07/08/19
Or.Dept: Human Resources
Doc. No.: 2046231

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of AUG 06 2019.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: 8/9/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on AUG 06 2019, 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"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 09 2019.

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 Connie Patterson, 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

JUL 23 2019, and on AUG 09 2019.

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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21109</u>