

# 58  
9/10/19

(O-2020-34)

ORDINANCE NUMBER O- **21128** (NEW SERIES)

DATE OF FINAL PASSAGE **SEP 12 2019**

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

WHEREAS, on July 11, 2019, the San Diego Civil Service Commission (Civil Service Commission) reviewed a request from the Human Resources Department (Department) to exempt one Program Manager position from the Classified Service of the City of San Diego (City); and

WHEREAS, the position will serve as liaison to all City departments by providing guidance and policy advice on labor and employment issues; advise departments on grievance resolution, disciplinary actions and appeals, and federal and state employment and labor laws; participate in labor negotiations and analyze proposals before meeting and conferring with impacted employee organizations; 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, 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 one Program Manager position as described by the Department to the Civil Service Commission, the Civil Service Commission found it meets the intent of Charter section 117 to exempt the position 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 July 15, 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 one Program Manager position from the Classified Service. On July 11, 2019, the Civil Service Commission reviewed the proposed exemption and commented favorably upon it as meeting Charter section 117 criteria for placement of the Program Manager position in the Unclassified Service. Having considered and reviewed the finding of the Civil Service Commission, as set forth in the memorandum dated July 15, 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 position identified in the memorandum by the Department, performing the duties described in the 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  \_\_\_\_\_  
Miguel Merrell  
Deputy City Attorney

MM:jvg  
July 22, 2019  
Or.Dept:Human Resources  
Doc. No.: 2058610

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 10 2019.

ELIZABETH S. MALAND  
City Clerk

By  \_\_\_\_\_  
Deputy City Clerk

Approved: 9/12/19  
\_\_\_\_\_  
(date)

 \_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

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

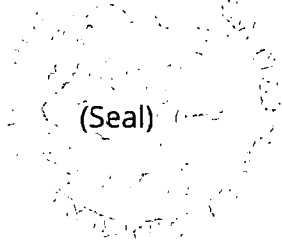
\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on SEP 10 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 12 2019.

AUTHENTICATED BY:



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

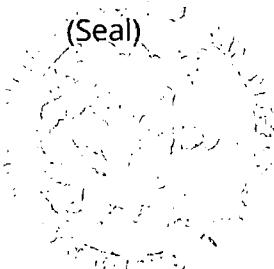
ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Ginda Brown, 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

AUG 06 2019, and on SEP 12 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.



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

By Ginda Brown, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21128