

RESOLUTION NUMBER R- 312737

DATE OF FINAL PASSAGE NOV 05 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO DIRECTING THE CITY'S MANAGEMENT TEAM  
FOR LABOR NEGOTIATIONS TO ENGAGE IN COLLECTIVE  
BARGAINING WITH THE CITY'S RECOGNIZED EMPLOYEE  
ORGANIZATIONS ON A PROPOSED CHARTER  
AMENDMENT RELATED TO ESTABLISHMENT OF A  
COMMISSION ON POLICE PRACTICES.

WHEREAS, on June 21, 2019, Andrea St. Julian, on behalf of Women Occupy San Diego, filed with the Office of the City Clerk, for the City of San Diego (City), a proposed amendment to the City Charter related to the dissolution of the existing Community Review Board on Police Practices and the establishment of a Commission on Police Practices (Women Occupy Proposal or Proposal); and

WHEREAS, the Women Occupy Proposal was submitted in accordance with City Council (Council) Policy 000-21; and

WHEREAS, on July 31, 2019, the Council's Rules Committee considered the Women Occupy Proposal and voted to forward it to the Council's Public Services and Livable Neighborhoods (PS&LN) Committee for further review and discussion; and

WHEREAS, the PS&LN Committee discussed the Women Occupy Proposal on September 18, 2019, and voted unanimously to refer it to the Office of the City Attorney for legal review and drafting, and to return it to the PS&LN Committee for further review; and

WHEREAS, on October 23, 2019, the PS&LN Committee reviewed the City Attorney's draft, which involves proposed amendments to Charter sections 40 and 41 and the addition of a new Charter section 41.2, entitled "Commission on Police Practices," and voted to forward the draft Proposal, with specified modifications, to the full Council for consideration; and

WHEREAS, the Council has considered the Proposal, in the form drafted by the Office of the City Attorney and forwarded by the PS&LN Committee to the Council, which is on file with the Office of the City Clerk as Document Number RR-312737-1, and the Council wishes to incorporate any additional modifications approved by the Council; and

WHEREAS, the Council proposes to place the Women Occupy Proposal, as approved, on a future ballot for City voters to consider, with a target date of the November 3, 2020 election, upon completion of any required collective bargaining process under the Meyers-Miliias-Brown Act (MMBA); and

WHEREAS, the Council recognizes that, prior to making a final determination on whether to place the Proposal on a future ballot for City voters to consider, the City must comply with the MMBA, California's collective bargaining law set forth at California Government Code sections 3500 through 3511, which is binding on the City; and

WHEREAS, by San Diego Resolution R-312727 (Oct. 31, 2019), the Council designated the City's Management Team for labor negotiations; and

WHEREAS, the Council may act in the future to modify its Management Team for labor negotiations; and

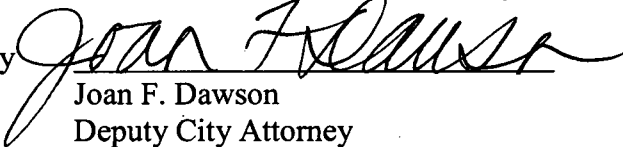
WHEREAS, the Council intends to advance the Proposal, as approved, to collective bargaining with the City's recognized employee organizations, in compliance with the MMBA, prior to a final determination by the Council on whether to place the Proposal on a future City ballot; and

WHEREAS, pursuant to Charter section 295(d), this resolution relating to matters to submit to City voters at a future municipal election is not subject to veto by the Mayor, and thus the date of its passage by the Council is deemed its date of final passage; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council directs the City's Management Team, as designated by San Diego Resolution R-312727 (Oct. 31, 2019) or modified by future action of the Council, to take all steps necessary to comply with the MMBA, prior to the Council's final determination on whether to place on a future ballot the Women Occupy Proposal, as presented in City Clerk Document Number RR-312737-2 or as modified in the future.

BE IT FURTHER RESOLVED that the Council directs the City's Management Team to regularly report back to the Council on the progress of collective bargaining related to the Women Occupy Proposal and to seek further instructions from the Council, in response to any collective bargaining discussions.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Joan F. Dawson  
Deputy City Attorney

JFD:jvg  
10/24/19  
11/1/19 COR. COPY  
Or.Dept:Council District 4 (PS&LN Committee)  
CC No. N/A  
Doc. No.: 2208356

Passed by the Council of The City of San Diego on NOV 05 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 NOV 05 2019

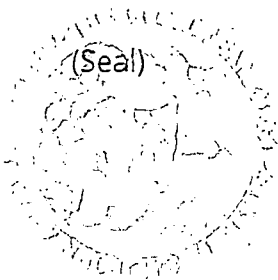
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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 Irwin, Deputy



Office of the City Clerk, San Diego, California

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