

ORDINANCE NUMBER O- 21194 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 04 2020

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6,
DIVISION 00 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 26.16 RELATING TO TWO
CATEGORIES IN THE COMPOSITION OF THE CITIZENS
EQUAL OPPORTUNITY COMMISSION AND ITS
REPORTING REQUIREMENTS.

WHEREAS, the San Diego City Council (Council) adopted ordinance O-15902 on February 14, 1983, codified at San Diego Municipal Code section 26.16, establishing the Citizens Equal Opportunity Commission (Commission); and

WHEREAS, the Commission was established pursuant to San Diego Charter section 43(a) to advise the Mayor, Council, Civil Service Commission, and other agencies of City government of the progress being made in the City's Equal Opportunity Program; and

WHEREAS, Section 26.16 provides that the Commission shall consist of 11 members appointed by the Mayor and confirmed by Council; and

WHEREAS, Section 26.16 currently provides that the Commission shall include "nine members who actively advocate for or represent the interests and concerns of each of the following groups: Latino, African-American, Filipino, Native American, Asian/Pacific Islander, Disabled, Lesbian/Gay/Bisexual/Transgender, Women, and Disabled Veterans"; and

WHEREAS, the City's Equal Opportunity Program uses the Standards for the Classification of Federal Data on Race and Ethnicity issued by the United States Office of Management and Budget to determine the underrepresentation of the workforce of the vendors and contractors that do business with the City; and

WHEREAS, the City's Equal Employment Opportunity Policy includes the use of the same federal standards for its utilization analysis and reports; and

WHEREAS, this Ordinance changes two categories in the composition of the Commission to be consistent with the standards provided by the United States Office of Management and Budget that govern the categories used to collect and present federal data on race and ethnicity; and

WHEREAS, currently, "Filipino" and "Asian/Pacific Islander" are two of the minority groups that the Commission advocates for and represents. To follow the federal guidelines, the "Asian/Pacific Islander" category will be split into two categories: "Asian" and "Native Hawaiian or Other Pacific Islander." Additionally, the separate category "Filipino" will be deleted because it is included in the "Asian" category; and

WHEREAS, this Ordinance amends section 26.16 to change the submission of written reports from quarterly reports to annual reports to the Committee with the assigned responsibility for the subject matter and Council; and

WHEREAS, Section 26.16 currently provides that the Commission shall submit written quarterly reports to which evaluate the progress of the City and its agencies, to the Committee on Budget and Government Efficiency and Council; and

WHEREAS, the City desires to change the Commission's reporting requirements from quarterly to annually for practical considerations and for consistency with other Boards and Commissions; NOW, THEREFORE,

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

Section 1. That Chapter 2, Article 2, Division 00 of the San Diego Municipal Code is amended by amending section 26.16, to read as follows:

§26.16 Citizens Equal Opportunity Commission

(a) [No change in text.]

(b) **Citizens Equal Opportunity Commission Established**

The Citizens Equal Opportunity Commission shall consist of eleven members who shall serve without compensation. The Board shall include nine representatives who actively advocate for or represent the interests and concerns of each of the following minority groups: Latinos, African-Americans, Native Hawaiians or Other Pacific Islanders, Native Americans, Asians, Disabled persons, Lesbian/Gay/Bisexual/Transgender persons, Women, and Disabled Veterans. The remaining two members of the Board shall be appointed from the City at large. The members shall be appointed by the Mayor and confirmed by the Council. The members shall serve two-year terms and each member shall serve until the member's successor is duly appointed and qualified. The members shall be appointed in such manner that the terms of not more than six members shall expire in any year. The expiration date of all terms shall be January 1. During January of each year, the Mayor may designate one member as Chairperson; however, in the absence of such designation, the Board shall select a Chairperson from among its members on or after February 15. Any vacancy shall be filled for the unexpired term of the member whose place becomes vacant. The Board shall adopt such rules, regulations and organizational structure for the conduct of its business as it deems necessary.

(c) Duties and Functions

(1) through (2) [No change in text.]

(3) Submit written annual reports, which evaluate the progress of the City and its agencies, to the Committee with the assigned responsibility for the subject matter and Council.

(4) through (6) [No change in text.]

Section 2. That a full reading of this Ordinance is dispensed with prior to passage, a written 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 /s/ Jill S. Cristich
Jill S. Cristich
Deputy City Attorney

JSC:hm:sc
11/29/2018
Or.Dept:PW
Doc. No.: 1870749_5

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 06/02/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Connie Patterson
Deputy City Clerk

Approved: 6/3/2020
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~
NEW LANGUAGE: Double Underline

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(c) Duties and Functions

(1) through (2) [No change in text.]

(3) Submit written ~~quarterly~~ annual reports, which evaluate the progress of the City and its agencies, ~~for review and acceptance by the Committee on Budget and Government Efficiency to the~~ Committee with the assigned responsibility for the subject matter and Council. ~~Submittal should coincide with quarterly submittals by the City Manager, Civil Service Commission, non-managerial departments and agencies.~~

(4) through (6) [No change in text.]

JSC:hm:sc
11/29/2018
Or.Dept:PW
Doc. No.: 1870309_5

Passed by the Council of The City of San Diego on JUN 02 2020, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUN 04 2020.

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

MAY 12 2020, and on JUN 04 2020.

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

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