

#53
11/10/2020

(O-2021-50)

ORDINANCE NUMBER O- 21258 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 17 2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO EXEMPTING TWO PROGRAM MANAGER
POSITIONS IN THE OFFICE OF RACE AND EQUITY FROM
THE CLASSIFIED SERVICE.

WHEREAS, on October 1, 2020, the San Diego Civil Service Commission (Civil Service Commission) reviewed a request from the Office of the Mayor to exempt two Program Manager positions in the Office of Race and Equity from the Classified Service; and

WHEREAS, the two Program Manager positions will be responsible for helping to develop the strategic plan for the Office of Race and Equity and key performance indicators to quantify the impact of equity initiatives; establish and administer the Community Equity Fund to invest in underserved communities; develop Citywide policies and procedures for use of these funds; provide ongoing policy analysis and program oversight; and create and implement communication plans for Citywide policies and procedures; and

WHEREAS, San Diego Charter (Charter) section 117 states that 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 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 Office of the Mayor 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 of the Civil Service Commission is presented to the Council as set forth in the memorandum dated October 2, 2020, to the Honorable Council President and members of the 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 Office of the Mayor initiated advisory review and comment from the Civil Service Commission related to the proposed exemption of two Program Manager positions in the Office of Race and Equity from the Classified Service. On October 1, 2020, the Civil Service Commission reviewed the proposed exemption and commented favorably as meeting Charter section 117 criteria for placement of the positions in the Unclassified Service. Having considered and reviewed the finding of the Civil Service Commission, as set forth in the memorandum dated October 2, 2020, to the Honorable Council President and members of the Council, prepared on behalf of the Civil Service Commission by the Personnel Director, the Council now exempts from the Classified Service the two Program Manager positions identified in the memorandum by the Office of the Mayor, 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 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/Miguel Merrell
Miguel Merrell
Deputy City Attorney

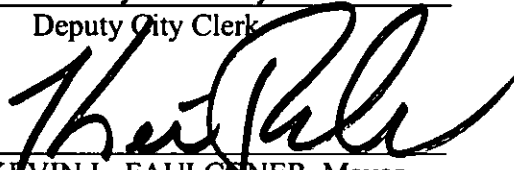
MM:jvg
10/9/20
Or.Dept: Human Resources
Doc. No.: 2500051

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 11/10/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Stacy D. Ready
Deputy City Clerk

Approved: 11/10/20
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

(The date of final passage is November 17, 2020, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on NOV 10 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 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 17 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 [Signature], 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

OCT 27 2020, and on NOV 17 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 [Signature], Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 21258