

#60  
04/11/2023

(O-2023-120)

ORDINANCE NUMBER O- **21634** (NEW SERIES)

DATE OF FINAL PASSAGE APR 14 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO EXEMPTING A PROGRAM MANAGER  
POSITION IN THE ENVIRONMENTAL SERVICES  
DEPARTMENT FROM THE CLASSIFIED SERVICE.

WHEREAS, on February 2, 2023, the Civil Service Commission of the City of San Diego (City) reviewed a request from the Environmental Services Department (Department) to exempt a Program Manager position from the Classified Service; and

WHEREAS, the Program Manager position will oversee the implementation of Measure B, which amended the San Diego Municipal Code to allow for cost recovery of City-provided solid waste management services; draft Request for Proposals in the selection of consultants to develop cost of service studies, evaluate efficiencies, and ensure compliance with Proposition 218; oversee community engagement to enhance solid waste management services; oversee a communication plan to educate residents in services; oversee the validation and verification of data and how data integrates with existing City systems; and develop policies on service options, billing requirements, and rate structure; 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 Program Manager position, as described by the Department, 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 set forth in the memorandum dated February 3, 2023 to the Honorable Council President and members of the City Council (Council), prepared on behalf of the Civil Service Commission by the Personnel Director, on file in the Office of the City Clerk as Document No. OO- **21634**; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; 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 Council exempts from the Classified Service the Program Manager position in the Department whose duties and responsibilities were reviewed by the Civil Service Commission, as described in the memorandum on file in the Office of the City Clerk as Document No. OO- **21634**.

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

  
Miguel Merrell  
Deputy City Attorney

MM:jvg  
March 1, 2023  
Or.Dept: Environmental Services  
Doc. No.: 3236325

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 11 2023.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 4/14/23  
(date)

  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 11 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 14 2023

AUTHENTICATED BY:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J.S. FUENTES

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

MAR 21 2023

, and on APR 14 2023

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)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- **21634**