

RESOLUTION NUMBER R- 315820

DATE OF FINAL PASSAGE OCT 14 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DIRECTING THE CITY'S MANAGEMENT TEAM FOR LABOR RELATIONS TO ENGAGE IN COLLECTIVE BARGAINING, AS REQUIRED BY THE MEYERS-MILIAS-BROWN ACT, RELATED TO PROPOSED AMENDMENTS TO THE SAN DIEGO MUNICIPAL CODE ADDING WHISTLEBLOWER PROTECTIONS.

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. On September 20, 2023, the Office of the City Attorney issued a memorandum (City Att'y MS 2023-8 (Sept. 20, 2023)) which proposed ethical reforms to strengthen the City's governance, promote oversight and accountability, increase transparency, and encourage collegiality, including adding whistleblower protections to the San Diego Municipal Code (Municipal Code) to protect whistleblowers from retribution when reporting improper governmental activities.

B. On March 20, 2024, City Attorney Mara W. Elliott presented proposed Municipal Code amendments adding whistleblower protections to the Council's Rules Committee. The Rules Committee unanimously advanced the proposed SDMC amendments to a second hearing of the Rules Committee with the request that the City Attorney prepare a draft ordinance to add whistleblower protections to the Municipal Code.

C. On July 24, 2024, the Rules Committee voted 4-1 in favor of forwarding the proposed Municipal Code amendments to the full Council for discussion and consideration. Additionally, the City Attorney was requested to work with the City Auditor and the Ethics Commission to draft language, including, but not limited to, the reporting and investigation of cases.

D. The Council has now considered the proposed Municipal Code amendments and wishes to proceed to the required collective bargaining process.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The City's management team for labor relations is directed to engage in the collective bargaining process on the mandatory subjects of bargaining related to the proposed Municipal Code amendments adding whistleblower protections, which are on file in the Office of the City Clerk, as Document No. RR- **315820**,

2. The Council further directs the City's management team to return to the Council for a final determination on the proposed amendments.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
David J. Karlin  
Senior Deputy City Attorney

DJK:cm  
September 9, 2024  
Or.Dept: City Attorney  
Doc. No. 3786146

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on OCT 08 2024.

DIANA J.S. FUENTES  
City Clerk

By   
(Deputy City Clerk

Approved: 10/11/24  
(date)

  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on OCT 08 2024, 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 type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Stephen Whitburn    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Henry L. Foster III | <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 type="checkbox"/> | <input checked="" 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 OCT 14 2024.

**(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:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- **315820**