

RESOLUTION NUMBER R- 314118

DATE OF FINAL PASSAGE JUN 01 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DIRECTING THE CITY'S MANAGEMENT FOR LABOR RELATIONS TO ENGAGE IN COLLECTIVE BARGAINING, AS REQUIRED BY THE MEYERS-MILIAS-BROWN ACT, RELATED TO A PROPOSED MEASURE TO AMEND THE CITY CHARTER, INTENDED TO REFORM THE CITY'S RECRUITMENT, HIRING, AND OTHER PERSONNEL-RELATED PROCESSES THROUGH ORGANIZATIONAL CHANGES AND APPOINTING COUNCILMEMBER AS CITY REPRESENTATIVE FOR BARGAINING.

WHEREAS, the City of San Diego (City)'s Civil Service System is established by Article VIII of the City Charter (Charter); and

WHEREAS, the Charter, at section 115, establishes a Civil Service Commission (Commission), with "supervision over the selection, promotion, and removal of all employees of the City, subject to the Civil Service provisions of this Charter"; and

WHEREAS, under Charter section 116, the Commission appoints a Personnel Director who serves as the Secretary of the Commission and who acts "as Chief Examiner and superintend[s] the examinations" for employment of City employees in the Classified Service; and

WHEREAS, in 2004, City voters approved the Strong Mayor form of government for a five-year period beginning January 1, 2006, and in 2010, City voters made the Strong Mayor form of government permanent, effective January 1, 2011; and

WHEREAS, by report dated November 27, 2013, the City Auditor issued a performance audit of the City's Personnel Department, focused on the hiring processes for employees in the

Classified Service, and made recommendations for improving efficiencies and timeliness in the hiring processes; and

WHEREAS, the City's Independent Budget Analyst has issued multiple reports, recommending various improvements to the City's hiring processes, including IBA Report 13-30 (March 13, 2013), IBA Report 14-01 (January 7, 2014), and IBA Report 14-35 (September 18, 2014); and

WHEREAS, by San Diego Resolution R-313771 (Nov. 8, 2021), the San Diego City Council (Council) approved its amended Policy 000-21, related to procedures for the submission of ballot proposals to the Council, by members of the public, Councilmembers, the Mayor, or mayoral departments, independent department directors, or a public agency; and

WHEREAS, on March 16, 2022, Councilmember Marni von Wilpert and her staff presented to the Council's Rules Committee a proposed measure to amend the Charter, intended to reform the City's recruitment, hiring, and other personnel-related processes through organizational changes; and

WHEREAS, the proposed Charter amendment involves transferring the Personnel Director from the appointment and supervision of the Civil Service Commission to the appointment and supervision of the City's Strong Mayor; and

WHEREAS, the proposed Charter amendment will maintain the Civil Service Commission as an independent investigatory and appeals body for City personnel-related practices and matters, including maintaining the City's merit-based hiring system and City employees' civil service protections; and

WHEREAS, on March 16, 2022, the Rules Committee unanimously advanced the proposal to a second hearing of the Rules Committee on April 20, 2022, in accordance with Council Policy 000-21; and

WHEREAS, on April 20, 2022, the Rules Committee voted unanimously to forward the proposed Charter amendment to the full Council to discuss and consider whether to begin any required collective bargaining process, under the Meyers-Milias-Brown Act, related to the proposal; and

WHEREAS, the Rules Committee also directed the Office of the City Attorney to make any necessary revisions to the proposed Charter amendment, to address questions and comments discussed at the Rules Committee meeting and to work on clarifying language; and

WHEREAS, the Council has now considered the draft Charter amendment and wishes to proceed to the required collective bargaining process; and

WHEREAS, the Council also wishes to designate Councilmember von Wilpert as a special representative to the City's management team for labor relations, in accordance with California Government Code sections 3505 and 54957.6(a) and other applicable law, to provide assistance in the collective bargaining process; NOW THEREFORE,

BE IT RESOLVED, that the Council directs the City's management team for labor relations to engage in the collective bargaining process on the mandatory subjects of bargaining related to a proposed measure to amend the Charter, intended to reform the City's recruitment, hiring, and other personnel-related processes through organizational changes, which is on file in the Office of the City Clerk, as Document No. RR- 314118, and the Council further directs the City's management team to return to the Council for a final determination on the proposed measure.

BE IT FURTHER RESOLVED, that the Council designates Councilmember von Wilpert as a special representative, authorized by the Council, to assist the City's management team for labor relations with the collective bargaining process related to the proposed Charter amendment.

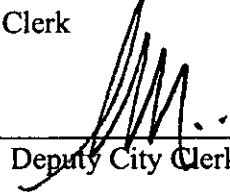
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/Joan F. Dawson
Joan F. Dawson
Senior Deputy City Attorney

JFD:cm:jvg
05/09/2022
05.12.2022 COR. COPY
Or.Dept: Council District 5
Doc. No. 2975513_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 17 2022.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5/31/22
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 17 2022, 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"/>
Chris Cate	<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 checked="" type="checkbox"/>	<input 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 JUN 01 2022.

(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)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
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