

RESOLUTION NUMBER R- 314176

DATE OF FINAL PASSAGE JUN 27 2022

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 A PROPOSED MEASURE TO AMEND SAN DIEGO MUNICIPAL CODE SECTION 66.0127 REGARDING COLLECTION, TRANSPORT, AND DISPOSAL OR RECYCLING OF REFUSE.

WHEREAS, first approved by voters in 1919, the "People's Ordinance" made refuse collection the City of San Diego's (City) responsibility and authorized the City to impose a tax to fund that service; and

WHEREAS, in 1981, voters approved amendments to the People's Ordinance that, among other changes, legitimized private refuse hauling and permitted the City to charge private haulers for waste disposed at the Miramar Landfill; and

WHEREAS, in 1986, voters approved amendments to the People's Ordinance that, among other changes, clarified the City's responsibilities in providing refuse services and eliminated the City's ability to charge customers for such services; and

WHEREAS, the 1986 amendments to the People's Ordinance resulted in today's system in which the City is prohibited from recovering costs from most single-family residences for solid waste collection services, while most residents in apartments and condominiums must pay a private hauler for solid waste collection services; and

WHEREAS, in 2021, the City's Independent Budget Analyst issued IBA Report No. 21-23 (Sept. 30, 2021) titled, "Analysis of the Fiscal Impact of the People's Ordinance,"

which highlights that refuse collection “is one of the only services paid for by the General Fund that confers an exclusive benefit onto only a subset of City residents”; and

WHEREAS, Council President Sean Elo-Rivera and Councilmember Joe LaCava seek to place a measure on the ballot to ask voters to amend the People’s Ordinance in San Diego Municipal Code section 66.0127, intended to provide San Diegans with world-class services and implement responsible governance; 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, the Council’s Rules Committee voted 4-1 in favor of requesting the City Attorney’s Office to work with staff to prepare a ballot measure regarding the proposed Municipal Code amendment and to return to the Rules Committee for further consideration; and

WHEREAS, on June 8, 2022, the Rules Committee voted 4-1 in favor of forwarding the proposed Municipal Code amendment to the full Council to discuss and consider whether to begin any required bargaining process, under the Meyers-Milias-Brown Act, related to the proposal; and

WHEREAS, the Council has considered the draft Municipal Code amendment and wishes to proceed to the collective bargaining process; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council directs the City’s management team for labor relations to engage in the collective bargaining process on mandatory subjects of bargaining related to a proposed measure to amend Municipal Code

section 66.0127 regarding collection, transport, and disposal or recycling of refuse, which is on file in the Office of the City Clerk as Document No. RR- **314176**, and the Council further directs the City's management team to return to the Council for a final determination on the proposed measure.

APPROVED: MARA W. ELLIOTT, City Attorney

By           /s/ Miguel Merrell            
Miguel Merrell  
Deputy City Attorney

MM:jvg:hm  
June 3, 2022  
Or.Dept: CD9  
CC No. N/A  
Doc. No.: 2997102

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 14 2022.

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 6/27/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on JUN 14 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 type="checkbox"/>	<input checked="" 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 27 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 Connie Patterson Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 314176