

#54
02/06/2024

(O-2024-53)

ORDINANCE NUMBER O- 21761 (NEW SERIES)

DATE OF FINAL PASSAGE FEB 14 2024

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

WHEREAS, on December 7, 2023, the Civil Service Commission of the City of San Diego reviewed a request from the Compliance Department (Department) to exempt a Program Manager position from the Classified Service; and

WHEREAS, the Program Manager position will oversee the City's Capital Improvement Program Project Labor Agreement Monitoring Program (PLA). This position will be responsible for PLA monitoring, oversight, and reporting; serving as the point of contact for City departments, contractors, unions, and other stakeholders on PLA matters; researching best practices and overseeing the creation of a PLA manual; and developing policies and processes related to PLA monitoring and reporting; 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 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 December 8, 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-_____ **21761** ; 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-_____ **21761** .

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
January 4, 2024
Or.Dept: Compliance Department
Doc. No. 3519518

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of FEB 06 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 2/12/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(Note: The date of final passage is February 14, 2024, 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 FEB 06 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 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"/>
District 4 - vacant	<input 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 FEB 14 2024

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 Ginda Bruin, Deputy
For Connie Patterson

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 JAN 23 2024, and on FEB 14 2024.

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 Ginda Bruin, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California

Ordinance Number O- **21761**