

Senate Bill No. 1259

CHAPTER 480

An act to amend Sections 18, 20, 72.5, 75, and 82 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), relating to the San Diego Unified Port District.

[Approved by Governor September 12, 1996. Filed
with Secretary of State September 13, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1259, Kelley. San Diego Unified Port District.

(1) Existing law, the San Diego Unified Port District Act, sets forth provisions governing the San Diego Unified Port District.

Under the act, employment in the district is divided into the unclassified and classified service, as specified.

This bill would include within the unclassified service (a) management employees having significant responsibilities for formulating or administering district policies and programs, (b) employees who are required to develop or present management positions with respect to employer-employee relations, who, in the regular course of their duties, have access to confidential information concerning employer-employee relations, or who contribute significantly to the development of management positions, and (c) persons employed for temporary expert professional services for a specified period.

(2) Under the act, the district board is authorized to adopt civil service regulations for the keeping of service records for all employees in the civil service, and for their use as one of the bases for promotions or layoffs through stoppage or lack of work.

This bill would revise these provisions to require the board to adopt civil service regulations for the keeping of service records for all employees in the civil service, and for their use as one of the bases for the promotion, removal, suspension, layoff, or transfer of any employee.

(3) Under the act, money in the San Diego Unified Port District Revenue Fund may be used for, among other things, encouraging and promoting commerce, navigation, and transportation in and through the district harbor.

This bill, in addition, would authorize money in the fund to be used for encouraging and promoting the region's commercial airport.

(4) This bill also would make technical, nonsubstantive changes in provisions of the act.

The people of the State of California do enact as follows:

SECTION 1. Section 18 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), as amended by Chapter 673 of the Statutes of 1963, is amended to read:

Sec. 18. Immediately after their appointment, the commissioners shall enter upon the performance of their duties. The board shall annually elect one of its members as chairperson and another as vice chairperson, and shall also elect annually a secretary, who may or may not be a member of the board. A majority shall constitute a quorum for the transaction of business. The board shall make rules and regulations for its own government and procedure, shall hold at least one regular meeting each month, and may hold any special meetings it deems necessary.

The commissioners shall be officers of the district and shall receive no salaries but shall be reimbursed for necessary traveling and other expenses incurred while engaged in the performance of their duties.

SEC. 2. Section 20 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session) is amended to read:

Sec. 20. The board shall establish a fiscal year for its operations and shall at the end of each fiscal year, or as soon as possible after the end of each fiscal year, make a complete report of the affairs and financial condition of the district for the preceding fiscal year, which shall show the sources of all receipts and the purposes of all disbursements during the year. The report shall be verified by the chairperson of the board and the secretary thereof. The board shall draw up a budget for each fiscal year.

SEC. 3. Section 72.5 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), as amended by Chapter 171 of the Statutes of 1982, is amended to read:

Sec. 72.5. Unclassified and classified services.

(a) Employment in the district shall be divided into the unclassified and classified service.

(b) The unclassified service shall include all of the following:

- (1) All officers of the district.
- (2) All department and division heads.
- (3) The principal assistant or deputy of all officers and department and division heads.
- (4) All assistant and deputy attorneys.
- (5) Management employees having significant responsibilities for formulating or administering district policies and programs. Each of these positions shall be exempted from the classified service, by ordinance, upon recommendation of the executive director.

(6) Employees who are required to develop or present management positions with respect to employer-employee relations, who, in the regular course of their duties, have access to confidential

information concerning employer-employee relations, or who contribute significantly to the development of management positions.

(7) Persons employed for temporary expert professional services for a specified period.

(c) The board shall establish a classified civil service that shall include all positions not specifically included in the unclassified service.

(d) Officers and employees appointed by the board may be removed from office by the affirmative vote of the majority of the members of the board.

(e) All persons in the classified service shall be appointed by and may be removed by the executive director subject to the civil service regulations of the district.

SEC. 4. Section 75 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), as amended by Chapter 349 of the Statutes of 1965, is amended to read:

Sec. 75. The board may adopt civil service regulations in accordance with the following provisions:

(a) The civil service regulations shall provide for all of the following:

(1) The qualifications and examination of all applicants for employment and the employment of persons on probation.

(2) The registration of persons, other than unskilled laborers, in the classified civil service, in accordance with their general average standing upon examination.

(3) Promotions on the basis of ascertained merit and seniority in service and examination, and competitive examinations for promotions.

(4) Leaves of absence.

(5) The transfer from one position to a similar position of the same class.

(6) The reinstatement to the list of eligibles on recommendation of the executive director of persons who have become separated from service or have been reduced in rank, other than persons who have been removed for cause.

(7) The reassignment of persons injured in the service of the district who were at the time of injury actually engaged in the discharge of the duties of their positions.

(8) The keeping of service records for all employees in the civil service, and for their use as one of the bases for the promotion, removal, suspension, layoff, or transfer of any employee.

(9) The procedure for the removal, discharge, or suspension of employees, the investigation by the board of the grounds thereof, and the reinstatement or restoration to duty of persons found to have been removed, discharged, or suspended for insufficient grounds, or for reasons that are not sustained by investigation.

(10) Generally for any other purpose that may be necessary or appropriate to carry out the objects and purposes of the civil service system and the regulations herein specifically authorized.

(b) The following persons may be exempted by the board, by ordinance, from the civil service:

(1) Persons employed to render professional, scientific, technical, or expert service of a temporary or exceptional character.

(2) Persons employed on the construction of district works, improvements, buildings, or structures.

(3) Persons receiving a salary not exceeding fifty dollars (\$50) per month.

Any exemption made pursuant to this subdivision may be terminated at any time by resolution of the board.

SEC. 5. Section 82 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session) is amended to read:

Sec. 82. The money in the fund also may be used for advertising the commercial and other advantages and facilities of any harbor in the district, for encouraging and promoting commerce, navigation, and transportation in and through that harbor, and for encouraging and promoting the region's commercial airport.