

RESOLUTION NUMBER R- 297212

ADOPTED ON OCT 21 2002

RESOLUTION OF THE CITY OF SAN DIEGO AUTHORIZING  
RETIREMENT BENEFITS AND RETIREMENT  
CONTRIBUTIONS FOR INCUMBENT PRESIDENTS OF  
THE SAN DIEGO MUNICIPAL EMPLOYEES' ASSOCIATION,  
POLICE OFFICERS' ASSOCIATION, AND LOCAL 145,  
THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS,  
AFL-CIO

WHEREAS, the City Council has the sole authority to establish the retirement benefits available under the San Diego City Employee's Retirement System ("System") and

WHEREAS, the Board of Administration ("Retirement Board") for the System has the sole authority to manage the System, determine the rights to benefits under the System and invest the System's Trust Fund; and

WHEREAS, the incumbent presidents of the San Diego Municipal Employees' Association (MEA), Police Officers' Association (POA), and Local 145, the International Association of Fire Fighters, AFL-CIO (Local 145) (collectively referred to as "unions"), receive compensation either in whole or in part from their respective union in addition to or in lieu of any salary paid to them by the City; and

WHEREAS, the City Council recognizes the value to the City, its represented employees, and the public, of the services rendered by the presidents of their respective employee unions; and

WHEREAS, the City, pursuant to the direction of the City Council, met and conferred with each of the above unions and reached agreement with those unions regarding standardizing the retirement benefits and employer and employee contributions for the incumbent presidents of those unions; and

WHEREAS, the City and those unions agreed to base the retirement benefit formula for

those incumbent union presidents on their respective high one-year salary from their combined City and union salary, not to exceed the annual base salary of the City's Labor Relations Manager; and

WHEREAS, these incumbent union presidents have either paid or agreed to pay biweekly the employer's and employee's biweekly share of the retirement contribution based on their combined City and union salary; and

WHEREAS, the incumbent president of Local 145 has agreed to pay the employer's and employee's biweekly share of the retirement contribution for fiscal year 2002 based on his combined City and union salary, but not to exceed a combined salary of \$108,000; and

WHEREAS, effective July 1, 2002, these incumbent union presidents agree to pay, in addition to their payment to the System of their employee's biweekly contribution for their City salary, the employer's and employee's biweekly contribution to the System for their union salary, which combined salary shall not exceed the base salary of the City's Labor Relations Manager; and

WHEREAS, the City and POA have agreed that the former presidents of POA who have not yet retired from City service may elect the same high one-year formula as these incumbent union presidents; and

WHEREAS, the unions have agreed to an audit of their payroll records by the City's Auditor and Comptroller, or his designee, for purposes of enabling the City to verify their respective president's or former presidents' salary paid by the unions, and

WHEREAS, these incumbent union presidents, and the former POA presidents who have not yet retired from City service are eligible to participate in the City's Deferred Retirement Option Program (DROP); and

WHEREAS, if these incumbent union presidents, or former POA union presidents who have not yet retired from City service, choose to enter DROP, they, or their respective union, agree to

pay, in addition to their biweekly 3.05% DROP contribution for their City salary, the employer's and employee's biweekly 3.05% DROP contribution for their union salary; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council finds a value to the City, its employees, and the public, for the services rendered by the respective presidents of the City's recognized employee unions.

BE IT FURTHER RESOLVED, that the high one-year salary for purposes of calculating the retirement benefit formula for incumbent presidents of the San Diego Municipal Employees' Association (MEA), Police Officers' Association (POA), and Local 145, the International Association of Fire Fighters, AFL-CIO (Local 145) (collectively referred to as "unions"), who receive or did receive compensation either in whole or in part from their respective union in addition to or in lieu of any salary paid to them by the City, shall be based on their respective combined City and union salary, not to exceed the annual base salary of the City's Labor Relations Manager.

BE IT FURTHER RESOLVED, that the high one-year salary for purposes of calculating the retirement benefit formula for the former POA presidents who have not yet retired from City service, who, while serving as president of POA, received compensation either in whole or in part from POA in addition to or in lieu of any salary paid to them by the City, shall be based on their respective combined City and union salary, not to exceed the annual base salary of the City's Labor Relations Manager.

BE IT FURTHER RESOLVED, that the employer's and employee's share of the retirement contribution for these incumbent union presidents shall be based on their respective combined City and union salary, not to exceed the annual base salary of the City's Labor Relations Manager.

BE IT FURTHER RESOLVED, that the employer's and employee's biweekly share of the retirement contribution for fiscal year 2002 for the incumbent president of Local 145 shall be based

on his combined City and union salary, but not to exceed a combined salary of \$108,000.

BE IT FURTHER RESOLVED, that effective July 1, 2002, the employer's and employee's contribution to the System for the union salary for the incumbent union presidents shall be paid biweekly by those presidents or their respective union in addition to their biweekly payment to the System of their employee's contribution for their City salary, but which combined salary shall not exceed the base salary of the City's Labor Relations Manager.

BE IT FURTHER RESOLVED, that the salary of the City's Labor Relations Manager, for purposes of this Resolution, shall mean his salary on July 1 of the fiscal year.

BE IT FURTHER RESOLVED, that the City's Auditor and Comptroller, or his or her designee, shall have the right to inspect the payroll records of the unions for purposes of enabling the City to verify the salary paid by the unions to their respective president, and that paid to the former POA presidents who have not yet retired from City service.


BE IT FURTHER RESOLVED, that if these incumbent union presidents, or former POA union presidents who have not yet retired from City service, choose to enter the City's Deferred Retirement Option Plan (DROP), they, or their respective union, shall pay biweekly, in addition to their biweekly 3.05% DROP contribution for their City salary, the employer's and employee's biweekly 3.05% DROP contribution for their union salary.

BE IT FURTHER RESOLVED, that this resolution shall only apply to the incumbent union presidents at the time of the adoption of this resolution, and the former POA presidents who have not yet retired from City service but who did receive a salary from POA while serving as POA president.

BE IT FURTHER RESOLVED, that upon adoption of this resolution, the affected incumbent union presidents shall make a determination as to the election of this benefit, with implementation of

the benefit subject to the City Manager's confirmation that the terms of this resolution have been satisfied.

APPROVED: CASEY GWINN, City Attorney

By   
Michael Rivo  
Deputy City Attorney

MR: als  
10/08/02  
Or. Dept: Manager's Office  
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