

RESOLUTION NUMBER R- 305498

DATE OF FINAL PASSAGE DEC 17 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND RATIFYING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 145 REGARDING TERMS AND CONDITIONS OF EMPLOYMENT FOR FISCAL YEAR 2008-2009

WHEREAS, the Meyers-Milias-Brown Act [MMBA], at California Government Code section 3500 *et seq.*, is the state law that governs labor relations between the City of San Diego [City] and its represented employees in the City's recognized employee organizations, including the International Association of Fire Fighters, Local 145 [Local 145]; and

WHEREAS, the MMBA requires the City to engage in collective bargaining with its recognized employee organizations, including Local 145, in an effort to reach agreement on terms and conditions of employment within the scope of representation prior to the adoption of the City's final budget for the ensuing fiscal year; and

WHEREAS, California Government Code section 3505.1 provides if agreement is reached by the designated representatives of the City, as defined by the MMBA and local rules, and a recognized employee organization, the City's designated representatives and the recognized employee organization shall jointly prepare a written Memorandum of Understanding [MOU], which shall not be binding until approved by the City Council, and shall present the MOU to the City Council, as the governing body, for determination; and

WHEREAS, San Diego City Council Policy 300-06, the City's Employee-Employer Relations Policy, at section VIII, provides that when the meet and confer process is concluded

between the City and an exclusively recognized employee organization, all agreed upon matters shall be incorporated into a written MOU signed by the Management Team and representatives of the recognized employee organization; and

WHEREAS, section VIII of City Council Policy 300-06 further provides that the MOU shall be submitted to the City Council for determination; and

WHEREAS, on April 21, 2008, the City Council adopted Resolution Number R-303607, approving the tentative agreement reached by the City's Management Team and employees within Local 145 regarding terms and conditions of employment for Fiscal Year 2008-2009; and

WHEREAS, pursuant to City Council Policy 300-06, the City's Management Team and Local 145 have incorporated all agreed-upon matters in a written MOU signed by the Management Team and Local 145, and now submit the MOU to the City Council for approval and ratification; and

WHEREAS, the MOU establishes the terms and conditions of employment for Local 145 members for the period of July 1, 2008 through June 30, 2009; and

WHEREAS, the City Council desires to approve and ratify the MOU between the City and Local 145 for Fiscal Year 2008-2009; NOW, THEREFORE,

BE IT RESOLVED that, pursuant to the authority of the MMBA and City Council Policy 300-06, the Council of the City of San Diego hereby approves and ratifies the Memorandum of

Understanding between the City and Local 145, for Fiscal Year 2008-2009, on file in the office of the City Clerk as Document No. RR 305498.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Joan F. Dawson
Joan F. Dawson
Deputy City Attorney

JFD:jfd
11/20/09
Or.Dept:Human Resources/Labor Relations
R-R-2010-396

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 8 2009.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 12-17-09
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor