

3401
4/11

RESOLUTION NUMBER R- 306739

DATE OF FINAL PASSAGE APR 25 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A TENTATIVE AGREEMENT BETWEEN THE CITY AND CALIFORNIA TEAMSTERS LOCAL 911, REGARDING TERMS AND CONDITIONS OF EMPLOYMENT FOR FISCAL YEAR 2012.

WHEREAS, from February 10, 2011, until March 21, 2011, the Management Team of the City of San Diego (City) met and conferred with California Teamsters Local 911 (Local 911) regarding wages, hours, and other terms and conditions of employment for employees represented by Local 911 in the Classified Service of the City, and made detailed recommendations to the City Council in relation thereto; and

WHEREAS, the Meyers-Milias-Brown Act (MMBA), at California Government Code sections 3500 through 3511, is the state law that governs labor relations between the City and its represented employees in the City's recognized employee organizations, including Local 911; and

WHEREAS, the MMBA requires the City to engage in collective bargaining with its recognized employee organizations, including Local 911, 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, also referred to as the City's Management Team, and a recognized employee organization, the City's Management Team 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 present it to the City Council, as the governing body, for determination; and

WHEREAS, on April 1, 2011, the City's Management Team and representatives of Local 911 reached tentative agreement on terms and conditions of employment for a one-year MOU, for a term to begin July 1, 2011; and

WHEREAS, the tentative agreement is subject to ratification by the members of Local 911, which was completed on April 6, 2011; and

WHEREAS, the tentative agreement is further subject to approval by the City Council, as provided by the MMBA, specifically California Government Code section 3505.1, and San Diego City Council Policy 300-06; and

WHEREAS, it is the desire of the City Council that the terms set forth in the tentative agreement, attached as Exhibit A, be documented in an MOU and brought before the City Council at a later date for final determination; and

WHEREAS, the City Council desires to approve the terms set forth in the tentative agreement in Exhibit A, so long as this approval is contingent upon and subject to the City's Management Team and Local 911 representatives jointly bringing forward an MOU at a later date for final determination by the City Council; 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 approves the tentative agreement between the City and Local 911, attached as Exhibit A.

BE IT FURTHER RESOLVED that the City Council directs the City's Management Team to jointly prepare with representatives of Local 911 the written MOU and present it to the City Council at a later date for final determination.

APPROVED: JAN I. GOLDSMITH, City Attorney

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

JFD:ccm
4/6/2011
Or.Dept:Human Resources

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 11 2011.

ELIZABETH S. MALAND
City Clerk

By Mary Zumaya
Deputy City Clerk

Approved: 4-25-11
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor