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RESOLUTION NUMBER R- 307056
DATE OF FINAL PASSAGE OCT 25 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND RATIFYING AN ADDENDUM TO MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND LOCAL 145, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO REGARDING TERMS AND CONDITIONS OF EMPLOYMENT FOR FISCAL YEAR 2012.

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 of San Diego (City) and its represented employees in the City's recognized employee organizations, including the Local 145, International Association of Fire Fighters, AFL-CIO (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, then 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 present it to the City Council, as the governing body, for determination; and

WHEREAS, consistent with the MMBA, Article VIII of City Council Policy 300-06 provides, in pertinent part, that when the meet and confer process between the City and a recognized employee organization is completed, all agreed-upon matters shall be incorporated in a written MOU signed by the City's Management Team and representatives of the recognized employee organization and presented to the City Council for final approval; and

WHEREAS, on December 8, 2009, by San Diego Resolution R-305497, the City Council approved an MOU between the City and Local 145, for the term of July 1, 2009, through June 30, 2011; and

WHEREAS, from February 7, 2011, until April 4, 2011, the City's Management Team met and conferred with Local 145 regarding wages, hours, and other terms and conditions of employment for employees represented by Local 145 in the Classified Service; and

WHEREAS, on April 4, 2011, the City's Management Team and representatives of Local 145 reached tentative agreement on terms and conditions of employment for a one-year Addendum to the MOU (Addendum), for a term to begin July 1, 2011; and

WHEREAS, the tentative agreement is subject to ratification by the members of Local 145, which was completed on April 8, 2011; and

WHEREAS, on April 11, 2011, by San Diego Resolution R-306738, the City Council approved the tentative agreement, and directed the City's Management Team to jointly prepare the written Addendum and present it to the City Council at a later date for final determination; and

WHEREAS, the Addendum incorporates by reference and is to be read with the MOU between the City and Local 145 entered into on July 1, 2009, and unless otherwise amended in

the Addendum, all terms of the MOU, which took effect on July 1, 2009, will remain in effect until June 30, 2012, upon approval by the City Council; and

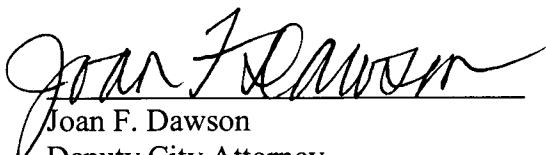
WHEREAS, the Addendum is also subject to the approval of the City Council, as provided by the MMBA, specifically California Government Code section 3505.1, and Council Policy 300-06; and

WHEREAS, the Addendum is now being submitted to the City Council for determination; and

WHEREAS, the Addendum signed by the City's Management Team and Local 145 representatives shall not be binding upon the City Council, until or unless ratified by the City Council; NOW, THEREFORE,

BE IT RESOLVED that, pursuant to the authority of the MMBA and Council Policy 300-06, the Council of the City of San Diego hereby approves and ratifies the Addendum to Memorandum of Understanding for Term of July 1, 2011 through June 30, 2012, by and between the City and Local 145 regarding terms and conditions of employment for Fiscal Year 2012, on file in the office of the City Clerk as Document No. 307056.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joan F. Dawson
Deputy City Attorney


JFD:ccm
9/29/2011
Or.Dept:LRO
Doc. #257686

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 17 2011

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10.25.11
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor