

RESOLUTION NUMBER R- 308477

DATE OF FINAL PASSAGE OCT 15 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE DEPUTY CITY ATTORNEYS ASSOCIATION REGARDING TERMS AND CONDITIONS OF EMPLOYMENT FOR FISCAL YEARS 2014 THROUGH 2018.

WHEREAS, from February 26, 2013, until May 28, 2013, the Management Team of the City of San Diego (City) met and conferred with the Deputy City Attorneys Association (DCAA), regarding wages, hours, and other terms and conditions of employment for employees represented by DCAA, and made detailed recommendations to the San Diego City Council (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 the DCAA; and

WHEREAS, the MMBA requires the City to participate in collective bargaining with its recognized employee organizations, including the DCAA, 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 agreement, which shall not be binding until

approved by the City Council, and shall present the agreement to the City Council, as the governing body, for determination; and

WHEREAS, 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 agreement signed by the Management Team and representatives of the exclusively recognized employee organization; and

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

WHEREAS, the City's Management Team and representatives of the DCAA have reached agreement on terms and conditions of employment for a five-year MOU, for a term to begin July 1, 2013, and DCAA members have ratified the agreement; and

WHEREAS, on June 10, 2013, the City Council approved and ratified a tentative agreement between the City and DCAA and directed the City's Management Team to jointly prepare with representatives of the DCAA the written MOU and present it to the City Council at a later date for final determination; and

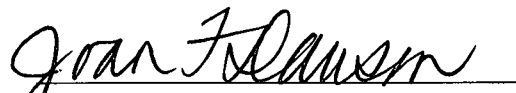
WHEREAS, San Diego Charter section 11.2 requires that a multiple-year agreement with any recognized employee organization concerning wages, hours, and other terms and conditions of employment requires a determination by the City Council that it is in the best interests of the City to enter into a multiple-year agreement and a two-thirds vote of the City Council approving the agreement; and

WHEREAS, the City Council now determines it is in the best interests of the City to enter into a multiple-year agreement with the DCAA for the City's financial stability and future potential long-term savings related to City Retirement System costs; and

WHEREAS, the City Council desires to approve and ratify the MOU between the City and the DCAA; 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 approves and ratifies the MOU between the City and the DCAA regarding terms and conditions of employment for Fiscal Years 2014, 2015, 2016, 2017, and 2018, on file in the office of the City Clerk as Document No. 308477.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

JFD:ccm
5/31/2013
Or.Dept: Human Resources
572300.doc

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 01 2013.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved pursuant to Charter section 265(i):

(date)

TODD GLORIA, Council President

Passed by the Council of The City of San Diego on OCT 01 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 15 2013.

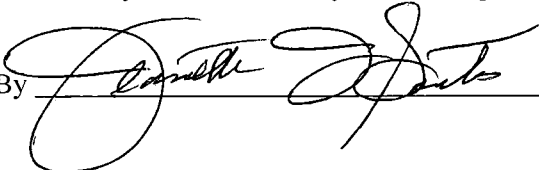
(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>308477</u>