

RESOLUTION NUMBER R- 308635

DATE OF FINAL PASSAGE DEC 24 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND BURKE, WILLIAMS & SORENSEN, LLP, TO PROVIDE NEGOTIATION SERVICES TO THE CITY DURING FISCAL YEAR 2014, DIRECTING THE COUNCIL PRESIDENT TO EXECUTE THE AGREEMENT, AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXPEND SPECIFIED AMOUNTS UNDER THE AGREEMENT.

WHEREAS, on October 1, 2013, under the authority of the Meyers-Milias-Brown Act (MMBA) and San Diego City Council (Council) Policy 300-06, the Council approved Memoranda of Understanding between the City of San Diego (City) and its six recognized employee organizations; and

WHEREAS, each Memorandum of Understanding (MOU) establishes terms and conditions of employment for those employees represented by a recognized employee organization, for a five-year term from July 1, 2013 through June 30, 2018; and

WHEREAS, each MOU has reopener provisions, requiring reopening of negotiations under the MMBA, on specified mandatory subjects of bargaining, including health care benefits and Council Policy 300-06, on certain conditions; and

WHEREAS, the City's Office of Labor Relations is in the process of preparing a Request for Proposal to hire a consultant to provide as-needed negotiation services for these reopeners and any other negotiation-related services requested by City officers; and

WHEREAS, before the procurement process under the Request for Proposal is complete, the City needs consultant services to assist the City's Office of Labor Relations, and the Office of Labor Relations is proposing that the City enter into a sole source agreement, pursuant to a certification by the City's Chief Operating Officer, with Burke, Williams & Sorensen, LLP, to provide immediate services; and

WHEREAS, under the Agreement, Burke, Williams & Sorensen, LLP, will provide expert as-needed negotiation services related to labor negotiations during Fiscal Year 2014 with the City's six recognized employee organizations: California Teamsters, Local 911; Deputy City Attorneys Association of San Diego; Local 127, American Federation of State, County, and Municipal Employees; San Diego City Firefighters, International Association of Firefighters, Local 145; San Diego Municipal Employees' Association; and San Diego Police Officers Association; and

WHEREAS, the scope of services covers all work related to labor negotiations under the MMBA and Council Policy 300-06, as directed or required by City officers, from January 1, 2014 through June 30, 2014, or whenever the scope of services is completed, whichever is the earlier; and

WHEREAS, compensation to Burke, Williams & Sorensen, LLP, pursuant to this Agreement, is not to exceed \$150,000; and

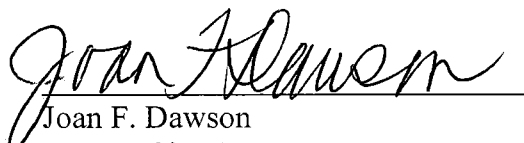
WHEREAS, funding for this Agreement has been allocated via the Fiscal Year 2014 Annual Budget according to the Fiscal Year 2014 FTE Allocation Schedule to support these activities; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council approves the Agreement between the City and Burke, Williams & Sorensen, LLP, which is on file in the Office of the City Clerk as Document No. RR- 308635, to provide as-needed labor negotiation services, for a term from January 1, 2014 through June 30, 2014, or whenever the scope of services is complete, whichever is the earlier, for compensation not to exceed \$150,000.

BE IT FURTHER RESOLVED that the Council authorizes and directs the Council President, in his capacity under San Diego Charter section 265(i) and on behalf of the City, to execute the Agreement, which is on file in the Office of the City Clerk as Document No. RR- 308635.

BE IT FURTHER RESOLVED that the actions authorized here are contingent upon the City Comptroller first furnishing one or more certificates stating that funds necessary for the authorized expenditures are, or will be, on deposit with the City Treasurer.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

JFD:cm
Or.Dept:LRO
Doc. No. 676132.doc

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 10 2013.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____
(date)

Mayor

Vetoed: _____
(date)

Mayor

Passed by the Council of The City of San Diego on DEC 10 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 24 2013.

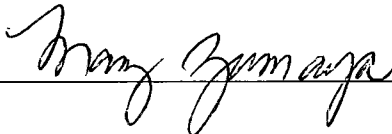
(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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- 308635