

#105
6/24/14

(R-2014-809)
COR. COPY 2

RESOLUTION NUMBER R- 309086

DATE OF FINAL PASSAGE JUL 07 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DESIGNATING THE CITY'S MANAGEMENT
TEAM FOR LABOR NEGOTIATIONS WITH THE CITY'S
RECOGNIZED EMPLOYEE ORGANIZATIONS.

WHEREAS, under the San Diego Charter (Charter) and applicable state law, the authority of the City of San Diego (City), as a public agency employer, to enter into memoranda of understanding with its recognized employee organizations establishing wages, hours, and other terms and conditions of employment rests with the San Diego City Council (Council); and

WHEREAS, under the Meyers-Milias-Brown Act (MMBA), at California Government Code sections 3500-3511, the City must engage in meet and confer with its six recognized employee organizations regarding any modifications to terms and conditions of employment; and

WHEREAS, on October 1, 2013, under the authority of the MMBA and Council Policy 300-06, the Council approved Memoranda of Understanding between the 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, Council Policy 300-06, and implementation of Proposition B, under certain circumstances; and

WHEREAS, the MMBA, specifically at California Government Code section 3505, provides that the Council, as the governing body of the City, may designate representatives to engage in meet and confer with the City's employee organizations; these representatives have the obligation personally to meet and confer promptly upon request by any employee organization and continue for a reasonable period of time, to exchange information and proposals and endeavor to reach agreement on matters within the scope of representation; all agreements reached are subject to approval by the Council and by the City Attorney under Charter section 40, before they are binding on the City; and

WHEREAS, under the MMBA and California case law interpreting it, as well as the Charter, the City's designated representatives must approach negotiations in good faith and must take bargaining positions only with the approval of the Council as to policy and the City Attorney as to legality; and

WHEREAS, under the Charter, the MMBA, and City Council Policy 300-06, if agreement is reached by the representatives of the City and a recognized employee organization, they shall jointly prepare a written MOU, which shall not be binding on the City unless and until it is approved by the Council as to policy and by the City Attorney as to legality; and

WHEREAS, the Ralph M. Brown Act, specifically at California Government Code section 54957.6(a), provides that prior to holding a closed session meeting with its designated representatives who are involved in meet and confer, the Council must hold an open and public session in which it identifies its designated representatives; and

WHEREAS, under the MMBA, Ralph M. Brown Act, and City Council Policy 300-06, the Council desires to designate its representatives on the Management Team for any negotiations required during Fiscal Year 2015 with the City's recognized employee organizations and to authorize these representatives to execute tentative agreements and memoranda of understanding following the process described above; and

WHEREAS, on May 20, 2014, by San Diego Resolution R-308989, the Council approved a consultant contract with Burke, Williams & Sorensen, LLP, for labor negotiation services for a two-year period, beginning July 1, 2014, with three one-year options to renew; and

WHEREAS, the Council desires to designate the Management Team to engage in meet and confer; however, this designation in no way delegates or relinquishes the Council's authority to approve tentative agreements and memoranda of understanding reached through negotiations nor does it delegate or relinquish the City Attorney's authority to approve as to legality; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to California Government Code sections 3505 and 54957.6(a), City Council Policy 300-06, and other applicable state and local laws and regulations, the Council designates the representatives on the Management Team for Fiscal Year 2015 negotiations with the City's recognized employee organizations, and authorizes these representatives to participate in meet and confer, taking Council-approved bargaining positions, to execute any tentative agreements and memoranda of understanding reached in meet and confer, and to present all tentative agreements and memoranda of understanding reached in meet and confer to the Council for final determination and approval by the Council as to policy and the City Attorney as to legality, as follows:

Timothy Davis, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant

Scott Chadwick, Chief Operating Officer

Mary Lewis, Chief Financial Officer

Stacey LoMedico, Assistant Chief Operating Officer

David Graham, Deputy Chief Operating Officer

Tony Heinrichs, Deputy Chief Operating Officer

Ron Villa, Deputy Chief Operating Officer

Jaymie Bradford, Deputy Chief of Staff, Office of the Mayor

Mike Hansen, Director of Land Use and Environmental Policy, Office of the
Mayor

Almis Udrys, Director of Government Affairs, Office of the Mayor

Barbara Lamb, Program Manager

Judy von Kalinowski, Human Resources Director

Joy Freeman, Human Resources Deputy Director

Karen DeCrescenzo, Senior Human Resources Officer

Abby Jarl, Senior Human Resources Officer

Gina Conrad, Human Resources Officer

Darrin Schwabe, Human Resources Officer

Anthony Austin, Human Resources Officer

Victoria Davidson, Human Resources Officer

Greg Bych, Risk Management Director

Estella Montoya, Risk Management Deputy Director

Nancy Stadille, Employee Benefits Manager, Risk Management

Elena Perez, Financial Operations Manager, Office of the City Comptroller

Javier Mainar, Fire Chief, Fire-Rescue Department

Kenneth Barnes, Assistant Fire Chief, Fire-Rescue Department

Brian Fennessy, Assistant Fire Chief, Fire-Rescue Department

Rick Wurts, Lifeguard Chief, Fire-Rescue Department

Shelley Zimmerman, Police Chief, Police Department

Sarah Creighton, Assistant Police Chief

Tanya Tomlinson, Deputy Director, City Attorney's Office, solely for negotiations with the Deputy City Attorneys Association

BE IT FURTHER RESOLVED, that the Council designates the following individuals from the Office of the Independent Budget Analyst as representatives within the meaning of California Government Code section 54957.6(a) to attend closed session meetings of the Council, and to serve in the capacity as observers at "meet and confer" sessions, but they are not designated as members of the Management Team as defined by City Council Policy 300-06:

Andrea Tevlin, Independent Budget Analyst

Jeff Kavar, Deputy Director, Office of the Independent Budget Analyst

Lisa Byrne, Fiscal and Policy Analyst, Office of the Independent Budget Analyst

Chris Olsen, Fiscal and Policy Analyst, Office of the Independent Budget Analyst

BE IT FURTHER RESOLVED, that the Council designates the following individuals from the Office of the City Attorney as representatives within the meaning of California Government Code section 54957.6(a) to attend closed session meetings of the Council; to perform legal work, as required by Charter section 40; and to serve in the capacity as observers at "meet and confer" sessions, but they are not designated as members of the Management Team as defined by City Council Policy 300-06:

Paul Cooper, Executive Assistant City Attorney, City Attorney's Office

Mary Nuesca, Assistant City Attorney, City Attorney's Office

John Hemmerling, Chief Deputy City Attorney, City Attorney's Office

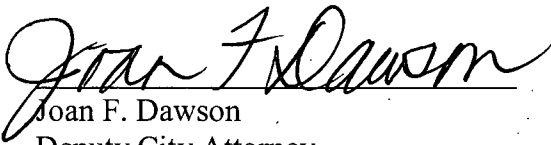
Joan Dawson, Deputy City Attorney, City Attorney's Office

Roxanne Story Parks, Deputy City Attorney, City Attorney's Office

William Gersten, Deputy City Attorney, City Attorney's Office

Greg Halsey, Deputy City Attorney, City Attorney's Office

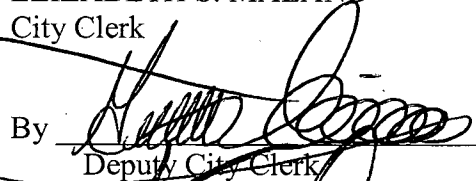
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

JFD:ccm
06/04/2014
06/12/2014 COR. COPY 1
06/12/2014 COR. COPY 2
Or.Dept:HumanResources
Doc. No. 799787_3

I certify that this Resolution was passed by the Council of the City of San Diego, at this meeting
of JUN 24 2014

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/7/14
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 24 2014, 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"/> |
| Ed Harris | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Todd Gloria | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 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 JUL 07 2014

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

AUTHENTICATED BY:

KEVIN L. FAULCONER
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- 309086