

RESOLUTION NUMBER R- 309859

DATE OF FINAL PASSAGE AUG 05 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND RATIFYING A SIDE LETTER AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL 127 REGARDING TERMS AND CONDITIONS OF EMPLOYMENT FOR FISCAL YEARS 2015 THROUGH 2018.

WHEREAS, on October 1, 2013, the San Diego City Council (Council) adopted San Diego Resolution R-308480 (Oct. 15, 2013), approving a Memorandum of Understanding (MOU) between the City of San Diego and American Federation of State, County, and Municipal Employees, Local 127 (Local 127), regarding terms and conditions of employment for Fiscal Years 2014 through 2018; and

WHEREAS, the City and Local 127 have mutually agreed to amend paragraph D of Article 32 of the MOU to provide that, effective Fiscal Year 2017, the cash-in-waiver option for flex credits under the City's Flexible Benefits Plan (Plan) will be paid out semi-annually, rather than bi-weekly; and

WHEREAS, the semi-annual payments will be taxable income to the employees who receive them; and

WHEREAS, the City will make the first semi-annual payment on the pay day closest to, but before, December 24, 2016; and

WHEREAS, the City will make the second semi-annual payment on the second pay day in July 2017; and

WHEREAS, this Council action is to approve a Side Letter Agreement to the MOU, memorializing the agreement between the City and Local 127 and amending Article 32 of the MOU; and


WHEREAS, under the Meyers-Miliias-Brown Act (MMBA), the state law related to collective bargaining between the City and its represented employees, and Council Policy 300-06, it is within the discretion of the Council to approve and ratify the negotiated agreement; and

WHEREAS, the Council desires to approve and ratify the Side Letter Agreement, which amends Article 32 of the MOU; NOW, THEREFORE,

BE IT RESOLVED that, under the authority of the MMBA and Council Policy 300-06, the Council of the City of San Diego approves and ratifies the Side Letter Agreement to the MOU between the City and Local 127, which amends Article 32 of the MOU related to the payment of residual flex credits from the City's Flexible Benefits Plan, as specified in the Side Letter Agreement on file in the Office of the City Clerk as Document No. RR-309859.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Roxanne Story Parks
Deputy City Attorney

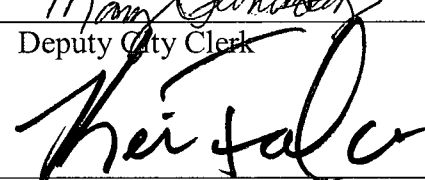
RSP:ccm:amt
07/06/2015
Or.Dept:HumanResources
Doc. No. 1056197

I certify that this Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 21 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/4/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 21 2015, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 AUG 05 2015

(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.

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

(Seal)

By *Mary Fernandez*, Deputy

Office of the City Clerk, San Diego, California

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