

RESOLUTION NUMBER R- 310129

DATE OF FINAL PASSAGE DEC 16 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A REVISED REWARDS AND RECOGNITION PROGRAM FOR CITY OF SAN DIEGO EMPLOYEES TO BE ADMINISTERED BY THE MAYOR, DECLARING A PUBLIC PURPOSE FOR THE PROGRAM, AND APPROVING AND RATIFYING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND LOCAL 127, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES REGARDING THE PROGRAM.

WHEREAS, San Diego Charter (Charter) section 11.1 states, in part, that the San Diego City Council (Council) must adopt a salary ordinance each year that establishes the compensation for City of San Diego (City) officers and employees; and

WHEREAS, on April 21, 2015, the Council of the City of San Diego (Council) adopted San Diego Ordinance O-20484, which is the salary ordinance for Fiscal Year 2016 (Fiscal Year 2016 Salary Ordinance); and

WHEREAS, the Fiscal Year 2016 Salary Ordinance contains a provision, at section 14, which states:

The City Council may, upon the Mayor's recommendation, establish additional benefit programs for represented and unrepresented officers and employees by separate and specific City Council action. For represented employees, these additional benefit programs must be based on ratified and executed MOUs with recognized employee organizations, or otherwise in compliance with the MMBA and City Council Policy 300-06. For

unrepresented officers or employees, these programs must be based on other conditions of qualification that are established by the City Council in its sole discretion.

and

WHEREAS, under Charter section 265(b)(3), the Mayor has authority to make recommendations to the Council concerning the affairs of the City as the Mayor finds desirable; and

WHEREAS, effective July 21, 1989, the City, through its City Manager, established Administrative Regulation 95.91, which established a Rewards and Recognition Program (Program) for City employees; and

WHEREAS, Administrative Regulation 95.91 is incorporated into the Fiscal Year 2016 Salary Ordinance, at section 12, which states:

The Mayor has implemented an Exceptional Merit Cash Payments Program (EMCP Program), as set forth in Administrative Regulation 95.91, which includes the criteria used to evaluate employee performance under the EMCP Program. These payments are not part of an employee's Base Compensation under the Retirement System or for any other purpose. No employee who receives a payment under the EMCP Program has a right, vested or otherwise, to receive future exceptional merit payments.

and

WHEREAS, the intent of the Program is to provide additional compensation for exceptional performance, through the award of discretionary leave and non-pensionable exceptional merit cash payments totaling no more than \$2,000 during any fiscal year; and

WHEREAS, the Mayor finds it desirable to update the Program to (1) establish standardized criteria, guidelines, and procedures for the Program to ensure consistency across City Departments and allow flexibility to reflect their individual operational differences; (2) establish guidelines for the establishment of a Rewards and Recognition Selection Committee for each Department or Division; and (3) provide for criteria to continue specialized employee award programs based on individual Department or Division goals in areas such as productivity, safety, loss prevention, and public and customer service; and

WHEREAS, the Council agrees with the Mayor's goals in updating the Program, in particular the Council supports the establishment of guidelines and procedures to ensure that the Program is applied consistently in all City departments and is based on standard criteria for the rewards to be given, specifically exceptional work performance; customer service; professionalism; cooperativeness; work schedule, availability, and attendance; and dedication; and

WHEREAS, the City has obtained an actuarial study of the proposed revisions to the Program, in accordance with Charter section 70.2, and the actuary for the San Diego City Employees' Retirement System has identified no impact on employees' pensionable pay as a result of the proposed Program; and

WHEREAS, with the authorization of the Council, the Mayor and his staff have negotiated the details of the revised Program, which will be set forth in amended Administrative Regulation 95.91, with Local 127, American Federation of State, County, and Municipal Employees (Local 127), in accordance with a reopener provision in the memorandum of understanding presently in effect between the City and Local 127; and

WHEREAS, the Council desires to approve the agreement with Local 127, acknowledging acceptance of amended Administrative Regulation 95.91 and satisfaction of the City's obligations under the Meyers-Milias-Brown Act (MMBA) related to implementation of the Program; and

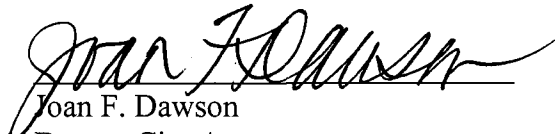
WHEREAS, the Council desires to declare a public purpose for the Program, establish the revised Program, and delegate implementation of the revised Program to the Mayor or designee; NOW THEREFORE,

BE IT RESOLVED, that the Council declares that there is a public purpose for the Program, which recognizes and rewards exceptional City employees, in that it is a means to retain highly-valued employees, thus reducing the cost of recruiting new employees, and to encourage continued high-level performance and service, thus benefitting City residents, business owners, and taxpayers.

BE IT FURTHER RESOLVED, that the Council approves and ratifies an agreement between the City and Local 127, acknowledging that the City's obligations to Local 127 under the MMBA related to the Program have been satisfied; the City's agreement with Local 127 is on file in the City Clerk's Office as Document No. RR- 310129.

BE IT FURTHER RESOLVED, that the Council delegates authority to the Mayor to implement the Program by implementing the amended Administrative Regulation 95.91 and taking any other necessary actions.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Joan F. Dawson  
Deputy City Attorney


JFD:jdf:ccm  
11/19/2015 COR. COPY  
11/02/2015  
Or.Dept: Human Resources  
Doc. No.: 1162374\_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 08 2015.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 12/15/15  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 08 2015, by the following vote:

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

Date of final passage DEC 16 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 Sty Brady, Deputy

Office of the City Clerk, San Diego, California

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