

RESOLUTION NUMBER R- 310510

DATE OF FINAL PASSAGE JUN 13 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND RATIFYING A SIDE LETTER AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO MUNICIPAL EMPLOYEES ASSOCIATION RELATED TO THE FLEXIBLE BENEFITS PLAN.

WHEREAS, by San Diego Resolution R-310148 (Dec. 16, 2015) (Resolution R-310148), the San Diego City Council (Council) approved and ratified a Memorandum of Understanding between the City of San Diego (City) and the San Diego Municipal Employees Association (MEA), setting forth the terms and conditions of employment for MEA-represented employees for Fiscal Years 2017 through 2020 (MOU); and

WHEREAS, the Council wishes to approve a Side Letter Agreement to the MOU, which amends the MOU related to the City's Flexible Benefit Plan; and

WHEREAS, the Side Letter Agreement amends Article 4, section B of the MOU to authorize a reopener to allow the City and MEA to meet and confer over compliance with the Employer Shared Responsibility provisions of the federal Affordable Care Act and to continue negotiations on health care benefits for MEA-represented employees to determine if modifications to the current Flexible Benefit Plan can result in lower out-of-pocket expenses for employees; and

WHEREAS, the Side Letter Agreement also amends Article 28, section E of the MOU, related to the schedule for payment of unused flexible benefit credits paid out in cash; and

WHEREAS, this Side Letter Agreement has been negotiated pursuant to the Meyers-Milias-Brown Act and City Council Policy 300-06, and is subject to City Council approval to take effect; and

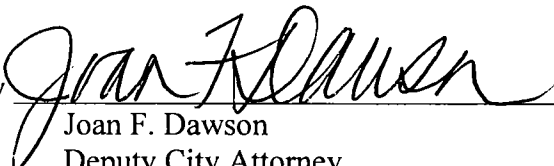
WHEREAS, this Side Letter Agreement only amends the provisions of the MOU as stated and agreed-upon; all other provisions of the MOU remain in effect, as previously approved by the Council by Resolution R-310148; and

WHEREAS, the Council determines that this Side Letter Agreement to amend the four-year MOU is in the best interests of the City because it provides modified benefits to attract and retain employees; and

WHEREAS, the negotiated Side Letter Agreement must be approved by a two-thirds majority vote of this Council in accordance with San Diego Charter sections 11.2; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to the Meyers-Milias-Brown Act and City Council Policy 300-06, the City Council approves and ratifies the Side Letter Agreement between the City and MEA, related to the City's Flexible Benefits Plan, on file in the office of the City Clerk as Document No. RR- 310510.

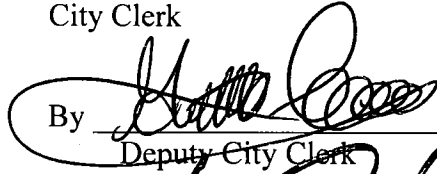
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

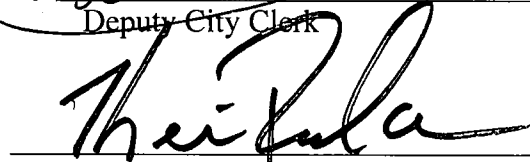
JFD:jfd:ccm
May 27, 2016
Or.Dept: Human Resources
Doc. No.: 1296196

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 6/13/16.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6/13/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 13 2016, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUN 13 2016

(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 Mary Fernandez, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 310510