

RESOLUTION NUMBER R- 310511

DATE OF FINAL PASSAGE JUN 13 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND RATIFYING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DIEGO AND THE DEPUTY CITY ATTORNEYS ASSOCIATION REGARDING TERMS AND CONDITIONS OF EMPLOYMENT FOR FISCAL YEARS 2017 THROUGH 2019.

WHEREAS, on October 1, 2013, by San Diego Resolution R-308477 (Oct. 15, 2013), the San Diego City Council (Council) approved a Memorandum of Understanding (MOU) between the City of San Diego (City) and the Deputy City Attorneys Association (DCAA) regarding terms and conditions of employment for Fiscal Years 2014 through 2018; and

WHEREAS, Article 4 of the MOU provides a reopener to negotiate increases to non-pensionable compensation for Fiscal Years 2017 and 2018; and

WHEREAS, from January 26, 2016 until April 21, 2016, the City and DCAA met and conferred pursuant to the reopener provision and reached a tentative agreement for an MOU for Fiscal Years 2017 through 2019; and

WHEREAS, this MOU is intended to take effect on July 1, 2016, and to supersede the MOU approved by the Council on October 1, 2013, as it relates to Fiscal Years 2017 and 2018; and

WHEREAS, the negotiated MOU provides no increases to pensionable pay in Fiscal Years 2017 and 2018, but includes increases to flexible benefit allotments, tuition reimbursement, discretionary leave, paid parental leave, and other benefits for eligible employees on agreed-upon conditions; and

WHEREAS, the negotiated MOU provides for a general salary increase of 3.3% in Fiscal Year 2019; and

WHEREAS, the negotiated MOU also includes special salary adjustments, effective in Fiscal Year 2019, of three percent for attorneys in the Deputy City Attorney III and IV pay grades and two percent for attorneys in the Deputy City Attorney V pay grade; and

WHEREAS, attorneys in the Deputy City Attorney IV half-step pay grade will also receive a 1.5% increase, as a result of eliminating half-step pay increases, effective Fiscal Year 2017; and

WHEREAS, in accordance with San Diego Charter (Charter) section 70.2, prior to establishment of the City's bargaining position, the City obtained an actuarial analysis from the actuary for the City's Retirement System, which identifies and discloses the impact on the City's defined benefit pension plan of any increases in proposed compensation or benefits; and

WHEREAS, in compliance with Charter section 70.2, the City referred the terms of the tentative agreement for the MOU to the Retirement System's actuary to update the initial actuarial study to include any additional fiscal impacts from the City's initial bargaining position; and

WHEREAS, the actuarial study has been posted and available to the public for review for ten days prior to Council consideration of the tentative agreement; and

WHEREAS, on May 3, 2016, DCAA members ratified the tentative agreement for the MOU; and

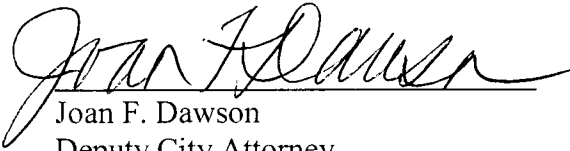
WHEREAS, under the Meyers-Milias-Brown Act (MMBA), the state law related to collective bargaining between the City and its represented employees, and Council

Policy 300-06, it is within the discretion of the Council to approve and ratify the negotiated MOU; and

WHEREAS, the Council finds it is in the best interests of the City to approve the MOU, which offers DCAA members with enhanced benefits, because it will improve recruitment and retention of City employees; NOW, THEREFORE,

BE IT RESOLVED that, pursuant to the authority of the MMBA and Council Policy 300-06, the Council of the City of San Diego approves and ratifies the MOU between the City and DCAA for Fiscal Years 2017 through 2019, on file in the Office of the City Clerk as Document No. RR- 310511.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

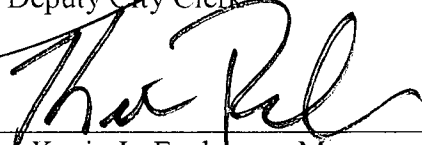
JFD:ccm
Or.Dept: Human Resources
Doc. No: 1293059

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 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 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.

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

(Seal)

By *Mary Ann...*, Deputy

Office of the City Clerk, San Diego, California

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