

#105
9/12/17

(R-2018-47)

RESOLUTION NUMBER R- 311313

DATE OF FINAL PASSAGE SEP 20 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AMENDING CITY COUNCIL POLICY 300-06,
EMPLOYEE-EMPLOYER RELATIONS POLICY

WHEREAS, San Diego City Council Policy 300-06 is the City of San Diego (City)'s Employee-Employer Relations (EER) Policy, which is adopted in accordance with the Meyers-Milias-Brown Act (MMBA), the state's collective bargaining law that binds the City as a public agency employer; and

WHEREAS, the MMBA, at California Government Code sections 3500 through 3511, mandates that public agencies follow certain rules related to resolution of disputes between the City and its recognized employee organizations (REOs) regarding wages, hours, and other terms and conditions of employment; and

WHEREAS, the MMBA, specifically California Government Code section 3507, also provides that "a public agency may adopt reasonable rules and regulations after consultation in good faith with representatives of a recognized employee organization or organizations for the administration of employer-employee relations"; and

WHEREAS, the City Council first adopted the City's EER Policy on October 26, 1971, by San Diego Resolution R-204097; and

WHEREAS, the City Council has amended the EER Policy five times since its initial adoption, most recently on November 14, 2005, by San Diego Resolution R-301042, to conform to changes in applicable law; and

WHEREAS, On October 9, 2011, Governor Brown signed into law Assembly Bill 646, which added provisions to the MMBA regarding factfinding, as an impasse resolution process; and

WHEREAS, On September 14, 2012, Governor Brown signed into law Assembly Bill 1606, which clarified language in the MMBA, specifically California Government Code section 3505.4, regarding impasse resolution, including mediation prior to factfinding; and

WHEREAS, the City must comply with these amendments to the MMBA and make the necessary changes to the EER Policy; and

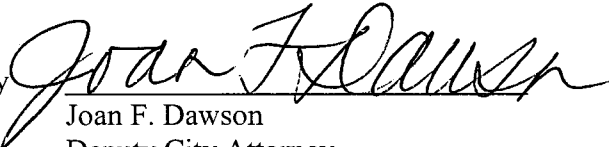
WHEREAS, the City's labor negotiators have provided the City's REOs with notice and opportunity to meet and consult on the changes to the EER Policy; and

WHEREAS, the City Council now wishes to approve the amended Council Policy 300-06, to conform to recent amendments to the MMBA and applicable regulations; NOW, THEREFORE,

BE IT RESOLVED, that the City Council approves and adopts the amended Council Policy 300-06.

BE IT FURTHER RESOLVED, that the City Council directs the City Clerk to update the Council Policy Manual to reflect the amended Council Policy 300-06.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Joan F. Dawson
Deputy City Attorney


JFD:jdf
08/15/17
Or.Dept:HR
Doc. No.: 1561416

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 18 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9/19/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on SEP 12 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 20 2017

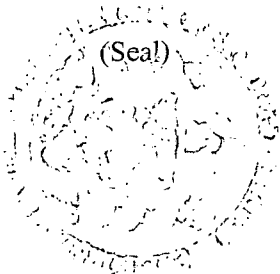
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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.

By Linda Kruein, Deputy



Office of the City Clerk, San Diego, California

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