

RESOLUTION NUMBER R- 311678

DATE OF FINAL PASSAGE APR 24 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, PURSUANT TO SECTION 20 OF THE FISCAL YEAR 2019 SALARY ORDINANCE, ADOPTING A CAFETERIA BENEFITS PLAN FOR ELIGIBLE EMPLOYEES FOR FISCAL YEAR 2019 AND ESTABLISHING FLEXIBLE BENEFIT ALLOTMENTS.

WHEREAS, the Salary Ordinance for Fiscal Year 2018 (Salary Ordinance) will be introduced to the Council of the City of San Diego (City Council) on April 9, 2018; and

WHEREAS, the Salary Ordinance will be docketed for adoption in accordance with San Diego Charter section 290(a); and

WHEREAS, section 20 of the Salary Ordinance provides that the Council may establish additional benefit programs, upon the Mayor's recommendation; and

WHEREAS, the City Council initially established the City of San Diego Flexible Benefits Plan (Flexible Benefits Plan), effective October 1, 1984, and the City Council wishes to adopt the amended and restated Flexible Benefit Plan for eligible employees in Fiscal Year 2019; and

WHEREAS, the Flexible Benefits Plan is intended to provide eligible employees a choice between certain taxable and nontaxable benefits offered under it; and

WHEREAS, the Flexible Benefits Plan is as a cafeteria plan under section 125 of the Internal Revenue Code, and must be interpreted consistently with that section and related guidance issued by the Internal Revenue Service; and

WHEREAS, the City Council also wishes to adopt the Flexible Benefit Plan allotments or credits for eligible employees to fund health insurance and other benefits; and

WHEREAS, under the Meyers-Miliias-Brown Act, the City must meet and confer with its recognized employee organizations over the annual Flexible Benefit Plan allotments that the City provides its represented employees; and

WHEREAS, the Flexible Benefit Plan allotments for the City's represented employees have been negotiated, approved, and set forth in the memoranda of understanding between the City and its recognized employee organizations: California Teamsters Local 911, by San Diego Resolution R-310512 (June 13, 2016); Deputy City Attorneys Association of San Diego, by San Diego Resolution R-310511 (June 13, 2016); Local 127, American Federation of State, County, and Municipal Employees, AFL-CIO, by San Diego Resolution R-310513 (June 13, 2016); San Diego City Firefighters, International Association of Firefighters Local 145, by San Diego Resolution R-310508 (June 13, 2016); San Diego Municipal Employees' Association, by San Diego Resolution R-310148 (Dec. 16, 2015); and San Diego Police Officers Association, by San Diego Resolution R-309613 (April 22, 2015); and

WHEREAS, the City Council also wishes to approve the allotments for the City's unrepresented employees who are eligible for benefits under the City's Flexible Benefit Plan, adopting the Mayor's recommendations; and

WHEREAS, the funds appropriate for the Flexible Benefits Plan are set forth in the annual Appropriation Ordinance; NOW THEREFORE,

BE IT RESOLVED that, pursuant to section 20 of the Salary Ordinance, the City Council adopts the Flexible Benefits Plan, which is Attachment A to this Resolution, and which is also on file in the Office of the City Clerk as Document No. RR- **311678**, for all designated eligible employees for Fiscal Year 2019.

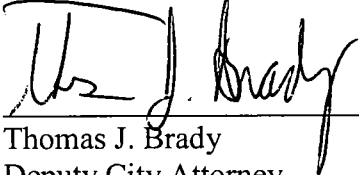
BE IT FURTHER RESOLVED that the City Council adopts the allotments or credits for flexible benefits for eligible employees under the Flexible Benefits Plan for Fiscal Year 2019, as set forth in the Attachment B to this Resolution, and the amounts in Attachment B are the total amount of flexible benefits allotted for each eligible employee.

BE IT FURTHER RESOLVED that the City Council authorizes the Mayor or his designee to take any and all action necessary to provide the health care coverage required under the Affordable Care Act and related federal regulations, for those employees who are not eligible employees under the Flexible Benefits Plan.

BE IT FURTHER RESOLVED that the City Council authorizes the Mayor to execute agreements with the appropriate organizations providing the benefits designated in the Flexible Benefits Plan.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Thomas J. Brady
Deputy City Attorney

TJB:jvg
March 29, 2018
April 16, 2018 COR. COPY
Or.Dept:Risk Management
Doc. No.: 1711943_2.docx

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 17 2018.

ELIZABETH S. MALAND
City Clerk

By *Linda Brown*
Deputy City Clerk

Approved: 4/24/18
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 17 2018, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 24 2018

(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 Irwin Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311678