

#107
11/13/18

(R-2019-208)

RESOLUTION NUMBER R- 312050

DATE OF FINAL PASSAGE NOV 20 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DESIGNATING THE CITY'S MANAGEMENT
TEAM FOR LABOR NEGOTIATIONS WITH THE CITY'S
RECOGNIZED EMPLOYEE ORGANIZATIONS.

WHEREAS, under the San Diego Charter (Charter) and applicable state law, the authority of the City of San Diego (City), as a public agency employer, to enter into memoranda of understanding with its recognized employee organizations establishing wages, hours, and other terms and conditions of employment rests with the San Diego City Council (Council); and

WHEREAS, under the Meyers-Milias-Brown Act (MMBA), at California Government Code sections 3500-3511, the City must engage in meet and confer with its six recognized employee organizations regarding any modifications to terms and conditions of employment; and

WHEREAS, the MMBA, specifically at California Government Code section 3505, provides that the Council, as the governing body of the City, may designate representatives to engage in meet and confer with the City's employee organizations; these representatives have the obligation personally to meet and confer promptly upon request by any employee organization and continue for a reasonable period of time, to exchange information and proposals and endeavor to reach agreement on matters within the scope of representation; all agreements reached are subject to approval by the Council and by the City Attorney under Charter section 40, before they are binding on the City; and

WHEREAS, under the MMBA and California case law interpreting it, as well as the Charter, the City's designated representatives must approach negotiations in good faith and must take bargaining positions only with the approval of the Council as to policy and the City Attorney as to legality; and

WHEREAS, under the Charter, the MMBA, and City Council Policy 300-06, if agreement is reached by the representatives of the City and a recognized employee organization, they must jointly prepare a written MOU, which is not binding on the City unless and until it is approved by the Council as to policy and by the City Attorney as to legality; and

WHEREAS, the Ralph M. Brown Act, specifically at California Government Code section 54957.6(a), provides that prior to holding a closed session meeting with its designated representatives who are involved in meet and confer, the Council must hold an open and public session in which it identifies its designated representatives; and

WHEREAS, under the MMBA, Ralph M. Brown Act, and City Council Policy 300-06, the Council desires to designate its representatives on the Management Team for any negotiations required with the City's recognized employee organizations and to authorize these representatives to execute tentative agreements and memoranda of understanding following the process described above; and

WHEREAS, on May 20, 2014, by San Diego Resolution R-308989 (June 4, 2014), the Council approved a consultant contract with Burke, Williams & Sorensen, LLP, for labor negotiation services for a two-year period, beginning July 1, 2014, with three one-year options to renew; and

WHEREAS, the Council desires to designate the Management Team to engage in meet and confer; however, this designation in no way delegates or relinquishes the Council's authority to approve tentative agreements and memoranda of understanding reached through negotiations nor does it delegate or relinquish the City Attorney's authority to approve as to form or correctness under San Diego Charter (Charter) section 40; and

WHEREAS, the Management Team listed in this Resolution supersedes any prior designations, and is necessary to reflect changes in staffing assignments; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to California Government Code sections 3505 and 54957.6(a), City Council Policy 300-06, and other applicable state and local laws and regulations, the Council designates the following individuals as the City's representatives on the Management Team for negotiations with the City's recognized employee organizations and authorizes these representatives to attend closed session meetings for the purpose of providing information to the Council related to meet and confer and receiving instruction from the Council, so that the Management Team representatives may participate in meet and confer on behalf of the City, taking Council-approved bargaining positions:

Timothy Davis, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant

Kris Michell, Chief Operating Officer

Rolando Charvel, Chief Financial Officer

Stacey LoMedico, Assistant Chief Operating Officer

Ronald H. Villa, Acting Assistant Chief Operating Officer

Julie Rasco, Director, Human Resources Department

Abby Jarl-Veltz, Deputy Director, Human Resources Department

Darrin Schwabe, Deputy Director, Human Resources Department

Colin Brazile, Senior Human Resources Officer, Human Resources Department

David Garcia, Senior Human Resources Officer, Human Resources Department

Curt Glaser, Senior Human Resources Officer, Human Resources Department

Erik Hanson, Senior Human Resources Officer, Human Resources Department

Louis Merlin, Senior Human Resources Officer, Human Resources Department

Daniel Mottola, Senior Human Resources Officer, Human Resources Department

Andrea Szabo, Senior Human Resources Officer, Human Resources Department

Julio Canizal, Director, Risk Management Department

Estella Montoya, Deputy Director, Risk Management Department

Quennelle Allen, Employee Benefits Manager, Risk Management Department

Tracy McCraner, Director, Finance Department

Sarah Mayen, Assistant Director, Finance Department

Adrian Del Rio, Acting Assistant Director, Finance Department

Sally Rubi, Financial Operations Manager, Finance Department

Lillian Garcia, Payroll Manager, Finance Department

Jose Galvan, Budget Coordinator, Finance Department

Colin Stowell, Fire Chief, Fire-Rescue Department

Kevin Ester, Assistant Fire Chief, Fire-Rescue Department

Christopher Webber, Assistant Fire Chief, Fire-Rescue Department

James Gartland, Lifeguard Chief, Fire-Rescue Department

David Nisleit, Police Chief, Police Department

Todd Jarvis, Executive Assistant Police Chief, Police Department

Sandra Albrektsen, Assistant Police Chief, Police Department

Albert Guaderrama, Assistant Police Chief, Police Department

James McNeill, Assistant City Attorney, Office of the City Attorney

George Schaefer, Assistant City Attorney, Office of the City Attorney, solely for negotiations with the Deputy City Attorneys Association

Tanya Tomlinson, Deputy Director, Office of the City Attorney, solely for negotiations with the Deputy City Attorneys Association.

BE IT FURTHER RESOLVED that, in accordance with California Government Code section 54954.5(f), the Council consents to the participation of an agent or designee for a specified designated representative if circumstances necessitate the absence of the specified designated representative; however, the name of the agent or designee must be announced at an open session meeting of the Council held prior to the closed session; and

BE IT FURTHER RESOLVED that the Council authorizes the following Management Team representatives to execute tentative agreements and memoranda of understanding reached in meet and confer, and to present all tentative agreements and memoranda of understanding reached in meet and confer to the Council for final determination and approval by the Council as to policy and the City Attorney as to form or correctness:

Timothy Davis, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant

Kris Michell, Chief Operating Officer

Rolando Charvel, Chief Financial Officer

Stacey LoMedico, Assistant Chief Operating Officer

Ronald H. Villa, Acting Assistant Chief Operating Officer

Julie Rasco, Director, Human Resources Department

Abby Jarl-Veltz, Deputy Director, Human Resources Department

Darrin Schwabe, Deputy Director, Human Resources Department

BE IT FURTHER RESOLVED that the Council designates the following individuals from the Office of the Independent Budget Analyst as representatives within the meaning of California Government Code section 54957.6(a) to attend closed session meetings of the

Council, and to serve in the capacity as observers at “meet and confer” sessions, but they are not designated as members of the Management Team as defined by City Council Policy 300-06:

Andrea Tevlin, Independent Budget Analyst

Jeff Kavar, Deputy Director, Office of the Independent Budget Analyst

Lisa Byrne, Fiscal and Policy Analyst, Office of the Independent Budget Analyst

Chris Olsen, Fiscal and Policy Analyst, Office of the Independent Budget Analyst

BE IT FURTHER RESOLVED that the Council designates the following individuals from the Office of the City Attorney as representatives within the meaning of California Government Code section 54957.6(a) to attend closed session meetings of the Council; to perform legal work, as required by Charter section 40; and to serve in the capacity as observers at “meet and confer” sessions, but they are not designated as members of the Management Team as defined by City Council Policy 300-06:

Mary Nuesca, Assistant City Attorney, Office of the City Attorney

George Schaefer, Assistant City Attorney, Office of the City Attorney

Sanna Singer, Assistant City Attorney, Office of the City Attorney

Kevin Reisch, Acting Assistant City Attorney, Office of the City Attorney

Thomas Brady, Deputy City Attorney, Office of the City Attorney

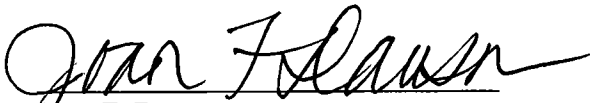
Joan Dawson, Deputy City Attorney, Office of the City Attorney

William Gersten, Deputy City Attorney, Office of the City Attorney

Miguel Merrell, Deputy City Attorney, Office of the City Attorney

Kristin Zlotnik, Deputy City Attorney, Office of the City Attorney

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

JFD:jvg
October 23, 2018
Or.Dept: Human Resources
Doc. No.: 1863285

I certify this Resolution was passed by the Council of the City of San Diego, at this meeting of
NOV 13 2018

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/20/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

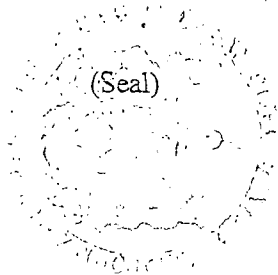
Passed by the Council of The City of San Diego on NOV 13 2018, by the following vote:

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 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 NOV 20 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- 312050