

RESOLUTION NUMBER R- 312081

DATE OF FINAL PASSAGE DEC 10 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND RATIFYING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO MUNICIPAL EMPLOYEES' ASSOCIATION TO AMEND THE MEMORANDUM OF UNDERSTANDING RELATED TO CERTIFICATION PAY FOR LATENT PRINT EXAMINER III AND SUPERVISING LATENT PRINT EXAMINER CLASSIFICATIONS.

WHEREAS, by San Diego Resolution R-310148 (December 16, 2015), the San Diego City Council (Council) approved and ratified a Memorandum of Understanding (MOU) between the City of San Diego (City) and the San Diego Municipal Employees' Association (MEA) that establishes terms and conditions of employment for MEA-represented employees for Fiscal Years 2016 through 2020; and

WHEREAS, Article 81, section U, of the MOU states that employees in the classification of Latent Print Examiner II who obtain and maintain the certified Latent Print Examiner certification shall be eligible to receive the additional compensation of five percent (certification pay); and

WHEREAS, by San Diego Ordinance O-20927 (April 24, 2018), the Fiscal Year 2019 Salary Ordinance, the Council approved the creation of a new classification, Latent Print Examiner III; and

WHEREAS, the City and MEA have reached an agreement to amend Article 81, section U, of the MOU, to apply the certification pay to the Latent Print Examiner III and Supervising Latent Print Examiner classifications; and

WHEREAS, the proposed amendment is set forth in the agreement, which is now presented to the Council for final determination, in accordance with the Meyers-Milias-Brown Act and Council Policy 300-06; and

WHEREAS, by San Diego Resolution R-300600 (June 27, 2005), the Council approved and ratified a Memorandum of Understanding between the City and the MEA, which established the certification pay for the Latent Print Examiner II classification; and

WHEREAS, by section 10 of San Diego Ordinance O-19617 (May 8, 2007), the Fiscal Year 2008 Salary Ordinance, the Mayor was authorized to identify those personnel in special assignments who were eligible for special assignment pay; and

WHEREAS, in November 2007, the City, represented by the Police Department, Labor Relations Office, and Personnel Department, reached an administrative agreement that employees in the classification of Supervising Latent Print Examiner would be eligible for the certification pay; and

WHEREAS, the Human Resources Department is recommending memorializing and incorporating the November 2007 administrative agreement to apply the certification pay to employees in the classification of Supervising Latent Print Examiner in the current MOU; and

WHEREAS, the Council wishes to act upon this recommendation and approve the agreement to amend the MOU, which memorializes that the certification pay will apply to the Latent Print Examiner III and Supervising Latent Print Examiner classifications; and

WHEREAS, this agreement to amend the MOU requires approval of a two-thirds majority vote of the Council, pursuant to San Diego Charter section 11.2; NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego that the agreement to amend the MOU between the City and the MEA, presented to the Council and on file in the Office of the City Clerk as Document No. 312081 is approved and ratified, and takes effect upon the date of final passage of this Resolution.

BE IT FURTHER RESOLVED that the Council directs the City's management team to incorporate the provisions set forth in the approved agreement in any successor MOU, unless the provisions are modified by future negotiations and presented to the Council for approval, in accordance with the Meyers-Milias-Brown Act and Council Policy 300-06.

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to appropriate and expend an additional amount not to exceed \$9,447 from Business Area and Fund, Police Department, 1914, and General Fund, 100000, for the purpose of executing this amendment to the MOU regarding certification pay for Latent Print Examiner III and Supervising Latent Print Examiner classifications, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal years and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

BE IT FURTHER RESOLVED that the Council ratifies the November 2007 administrative agreement between the City (represented by the Police Department, Labor

Relations Office, and Personnel Department) and MEA to apply the certification pay to employees in the classification of Supervising Latent Print Examiner.


APPROVED: MARA W. ELLIOTT, City Attorney

By 
Miguel Merrell
Deputy City Attorney

MM:cw
11/15/18
Or.Dept: Human Resources
CC No.: N/A
Doc. No.: 1879046

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 04 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/10/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 04 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 DEC 10 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.

(Seal)

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>312081</u>