

RESOLUTION NUMBER R- 312573

DATE OF FINAL PASSAGE JUL 29 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND BURKE, WILLIAMS & SORENSEN, LLP TO PROVIDE LABOR NEGOTIATION SERVICES TO THE CITY OF SAN DIEGO.

WHEREAS, on March 25, 2019, the City of San Diego (City) initiated Request for Proposal #10089500-19-K (RFP) to identify a consultant to provide as-needed labor negotiation services to the City; and

WHEREAS, upon review and evaluation of the proposals received pursuant to the RFP, City staff is recommending the San Diego City Council approve an agreement between the City and Burke, Williams & Sorensen, LLP (BWS) under San Diego Municipal Code section 22.3207(c) because it represents the best value to the City; and

WHEREAS, BWS will provide expert as-needed labor negotiation services related to all reopeners referenced in the current memoranda of understanding between the City and its six recognized employee organizations: American Federation of State, County and Municipal Employees, Local 127 (Local 127); San Diego Municipal Employees' Association (MEA); California Teamsters Local 911 (Local 911); San Diego Police Officers Association (POA); San Diego Deputy City Attorneys Association (DCAA); and San Diego City Firefighters I.A.F.F. Local 145 (Local 145); and

WHEREAS, the scope of services also includes any of the City's other meet and confer obligations, as identified by the City's Human Resources Director or designee, or other City officer responsible for ensuring compliance with the City's obligations under the Meyers-Milias-Brown Act and local rules governing labor relations; and

WHEREAS, compensation to BWS pursuant to the agreement is not to exceed \$2,000,000, with expenditures to be made according to the most current available FTE allocation schedule and is contingent upon the adoption of the Annual Appropriations Ordinance for the applicable fiscal years, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established agreement funding phases are, or will be, on deposit with the City Treasurer; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council approves the agreement between the City and BWS, which is on file in the Office of the City Clerk as Document No. RR- **312573**, to provide as-needed labor negotiation services, for an initial term of three years, with the option to extend the agreement for two additional one-year periods, pursuant to the terms and conditions of the agreement, for a total amount not to exceed \$2,000,000.

BE IT FURTHER RESOLVED, that the Council directs and authorizes the Mayor or his designee to execute the agreement, which is on file in the Office of the City Clerk as Document No. RR- **312573**.

BE IT FURTHER RESOLVED, that the Council delegates authority to the Mayor to exercise the option to renew, in the Mayor's discretion; this delegation of authority includes the authority to execute any necessary documents related to the option to extend the agreement.

BE IT FURTHER RESOLVED, that the actions authorized here are contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for the authorized expenditures are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the Council authorizes the Chief Financial Officer to expend the specified amounts under the agreement, with the total amount for the agreement not to exceed \$2,000,000, with the expenditures to be made according to the most current FTE allocation schedule.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Miguel Merrell
Deputy City Attorney

MM:jvg
07/08/19
Or.Dept: Human Resources
CC No. N/A
Doc. No.: 2045884

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 23 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/29/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 23 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 29 2019.

(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- 312573