

RESOLUTION NUMBER R- 313120

DATE OF FINAL PASSAGE JUN 24 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AMENDMENT TO ATTACHMENT B TO THE FLEXIBLE BENEFITS PLAN ESTABLISHING FLEXIBLE BENEFIT ALLOTMENTS FOR EMPLOYEES REPRESENTED BY SAN DIEGO FIREFIGHTERS, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 145 FOR FISCAL YEAR 2021 AND AUTHORIZING THE EXTENSION OF THE CLAIMS PERIOD FOR FISCAL YEAR 2020 HEALTH CARE SPENDING AND DEPENDENT CARE SPENDING ACCOUNTS.

WHEREAS, the San Diego City Council (City Council) initially established the City of San Diego Flexible Benefits Plan (Flexible Benefits Plan), effective October 1, 1984; and

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

WHEREAS, on June 3, 2020, the City Council adopted the Flexible Benefits Plan and Flexible Benefits Plan allotments for Fiscal Year 2021 in accordance with the terms of existing Memoranda of Understanding with each of its six recognized employee organizations (R-313060); and

WHEREAS, at the time the City Council adopted the Flexible Benefits Plan and Flexible Benefits Plan allotments for Fiscal Year 2021, the City had reached tentative agreements on the terms and conditions of employment for Fiscal Year 2021, including annual Flexible Benefits Plan allotments, with three of its six recognized employee organizations: Deputy City Attorneys Association of San Diego, Local 127, American Federation of State, County, and Municipal Employees, AFL-CIO, and the San Diego Municipal Employees' Association; and

WHEREAS, the City had not yet reached agreements on the terms and conditions of employment for Fiscal Year 2021 with California Teamsters Local 911, San Diego Firefighters, International Association of Firefighters Local 145, and San Diego Police Officers Association, although it continued to negotiate in good faith with these recognized employee organizations; and

WHEREAS, the City has now reached a tentative agreement on the terms and conditions of employment for Fiscal Year 2021, including the annual Flexible Benefits Plan allotments, with San Diego City Firefighters, International Association of Firefighters Local 145; and

WHEREAS, the City Council is now required under the MMBA to consider revisions to the Flexible Benefit Plan allotments for represented employees of San Diego City Firefighters, International Association of Firefighters Local 145; and

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

WHEREAS, the City Council also wishes to extend the claims period to December 31, 2020 for Fiscal Year 2020 health care spending accounts and dependent care spending accounts as permitted under IRS Notice 2020-29 due to administrative issues cause by the COVID-19 pandemic; and

WHEREAS, the City Council recognizes that extension of the claims period will require it to adopt a corresponding amendment to the City's Flexible Benefits Plan on or before December 31, 2020; NOW THEREFORE,

BE IT RESOLVED that the City Council adopts the allotments or credits for flexible benefits for eligible employees represented by San Diego City Firefighters, International

Association of Firefighters Local 145 under the Flexible Benefits Plan for Fiscal Year 2021, as set forth in the revised Attachment B to this Resolution.

BE IT FURTHER RESOLVED that the City Council authorizes the extension of the claims period to December 31, 2020 for Fiscal Year 2020 health care spending accounts and dependent care spending accounts.

APPROVED: MARA W. ELLIOTT, City Attorney


By /s/Thomas J. Brady
Thomas J. Brady
Deputy City Attorney

TJB:jvg
06/09/20
Or.Dept: Human Resources
CC No. N/A
Doc. No.: 2400319

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 06/23/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Matthew R. Hilario
Deputy City Clerk



KEVIN L. FAULCONER, Mayor

Approved: 6/27/2020
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 23 2020, by the following vote:

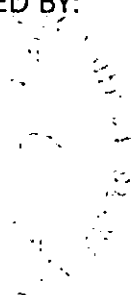
Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris 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 JUN 24 2020

(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.)

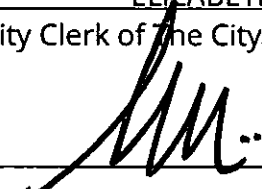
AUTHENTICATED BY:

(Seal)



KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

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

By , Deputy

Office of the City Clerk, San Diego, California

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