

RESOLUTION NUMBER R- **314286**

DATE OF FINAL PASSAGE **AUG 09 2022**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING A SIDE LETTER AGREEMENT
BETWEEN THE CITY AND THE SAN DIEGO CITY
FIREFIGHTERS, I.A.F.F., LOCAL 145, FOR A TEMPORARY
EXCEPTION TO ARTICLE 19 OF THE MEMORANDUM OF
UNDERSTANDING REGARDING OUT-OF-CLASS
ASSIGNMENTS FOR THE FIRE ENGINEER CLASSIFICATION.

WHEREAS, by San Diego Resolution R-314187 (June 23, 2022), the San Diego City Council (Council) approved a successor Memorandum of Understanding (MOU) between the City of San Diego (City) and the San Diego City Firefighters, I.A.F.F., Local 145 (Local 145) regarding terms and conditions of employment for Fiscal Years 2023 and 2024; and

WHEREAS, section (f) of Article 19 of the MOU provides, "Employees on OCA [out-of-class assignment] will be compensated at the rate of their regular job classification. Employees shall be compensated for OCA at the rate of the higher paid class only after thirty cumulative days of being assigned to the same higher-level class. Compensation would begin on the 31st day and would be prospective"; and

WHEREAS, the Fire-Rescue Department (Department) is currently understaffed in the Fire Engineer classification, and the Fire Chief has declared a state of emergency to meet the required minimum staffing levels of the Department; and

WHEREAS, the Department seeks to encourage employees to work an OCA in the Fire Engineer Classification to meet the Department's minimum staffing level needs; and

WHEREAS, the City and Local 145 entered into a side letter agreement (Agreement) to make a temporary exception to section (f) of Article 19 of the MOU so that employees who are

assigned to the Fire Engineering classification as an OCA will be compensated at the higher paid class immediately upon serving in that capacity and only while working the OCA; and

WHEREAS, the Agreement must be approved by a two-thirds majority vote of the Council to take effect, in accordance with Charter section 11.2; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Agreement between the City and Local 145 for a temporary exception to section (f) of Article 19 of the MOU regarding out-of-class assignments for the Fire Engineer classification, presented to the Council and on file in the Office of the City Clerk as Document No. RR- 314286, is approved and takes effect upon the date of final passage of this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/Miguel Merrell
Miguel Merrell
Deputy City Attorney

MM:jvg
July 5, 2022
Or.Dept: San Diego Fire-Rescue
CC No. N/A
Doc. No.: 3022139

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 02 2022

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 8/8/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on AUG 02 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 09 2022.

(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:

TODD GLORIA
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- **314286**