

#117
11/01/22

(R-2023-205)

RESOLUTION NUMBER R- 314424
DATE OF FINAL PASSAGE NOV 14 2022

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 through 3511, the City must engage in meet and confer with its 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 recognized employee organizations; and

WHEREAS, these designated representatives have the obligation to personally meet and confer promptly upon request by any recognized 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; and

WHEREAS, all agreements reached are subject to approval by the Council and by the Office of 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 Office of 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 designated 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 and by the Office of the City Attorney; 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, by San Diego Resolution R-312573, the Council approved a consultant contract with Burke, Williams & Sorensen, LLP, to provide labor negotiation services to the City; and

WHEREAS, the Council desires to designate the Management Team to engage in meet and confer, and 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 Charter section 40; and

WHEREAS, the Management Team listed in this Resolution supersedes any prior designations; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; 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 labor 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

Mark Wilson, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant

Eric Dargan, Chief Operating Officer

Matthew Vespi, Chief Financial Officer

Jay Goldstone, Special Advisor to the Mayor, Office of the Mayor

Kristina Peralta, Deputy Chief Operating Officer

Jessica Lawrence, Director of Policy, Office of the Mayor

Julie Rasco, Director, Human Resources Department

Abby Jarl-Veltz, Assistant Director, Human Resources Department

Jeremy Culuko, Acting Assistant Director, Human Resources Department

Jonnabelle Domingo, Supervising Human Resources Officer, Human Resources Department

Dan Mottola, Supervising Human Resources Officer, Human Resources Department

Erik Hanson, Senior Human Resources Officer, Human Resources Department

Manuel Quintero, Senior Human Resources Officer, Human Resources Department

Abegaile Serafico, Senior Human Resources Officer, Human Resources Department

Jennifer Manos, Senior Human Resources Officer, Human Resources Department

Kawanda McLendon, Senior Human Resources Officer, Human Resources Department

Dianne Mitra, Senior Human Resources Officer, Human Resources Department

Sophia Williams, Senior Human Resources Officer, Human Resources Department

Scott Harris, Program Coordinator, Human Resources Department

Jordan Lowery, Program Coordinator, Human Resources Department

Brian Mallard, Program Coordinator, Human Resources Department

Angela Colton, Director, Risk Management Department

Quennelle Allen, Deputy Director, Risk Management Department

Jose Galvan, Finance Manager, Risk Management Department

Carly Danney, Benefits Manager, Risk Management Department

Rolando Charvel, Department of Finance Director and City Comptroller

Benjamin Battaglia, Assistant Director, Department of Finance

Jeffrey Peelle, Assistant Director, Department of Finance

Sally Rubi, Financial Operations Manager, Department of Finance

Luis Mateos, Payroll Manager, Department of Finance

Nicholas O'Donnell, Principal Accountant, Department of Finance

Virgilio Afan Jr., Program Coordinator, Department of Finance

Colin Stowell, Fire Chief, Fire-Rescue Department

David Gerboth, Assistant Fire Chief, Fire-Rescue Department

John Wood, Assistant Fire Chief, Fire-Rescue Department

James Gartland, Lifeguard Chief, Fire-Rescue Department

Robert Logan, Deputy Fire Chief, Fire-Rescue Department

David Nisleit, Police Chief, Police Department

Chris Mcgrath, Executive Assistant Chief, Police Department

Terence Charlot, Assistant Police Chief, Police Department

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

M. Travis Phelps, Assistant City Attorney, Office of the City Attorney, solely for negotiations with the Deputy City Attorneys Association

Jean Jordan, Assistant City Attorney, Office of the City Attorney, solely for negotiations with the Deputy City Attorneys Association

Jonathan Ferreras, Program Coordinator, 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, and the name of the agent or designee must be announced at an open session meeting of the Council held prior to the closed session.

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

Mark Wilson, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant

Eric Dargan, Chief Operating Officer

Matthew Vespi, Chief Financial Officer

Jay Goldstone, Special Advisor to the Mayor, Office of the Mayor

Kristina Peralta, Deputy Chief Operating Officer

Julie Rasco, Director, Human Resources Department

Abby Jarl-Veltz, Assistant Director, Human Resources Department

Jonnabelle Domingo, Supervising Human Resources Officer, 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, and they are not designated as members of the Management Team as defined by City Council Policy 300-06:

Charles Modica, Independent Budget Analyst, Office of the Independent Budget Analyst

Jillian Kisse, Deputy Director, Office of the Independent Budget Analyst

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

Baku Patel, Fiscal and Policy Analyst, Office of the Independent Budget Analyst, solely for negotiations with the San Diego Police Officers Association, San Diego City Firefighters, I.A.F.F., Local 145, and California Teamsters Local 911

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, serve in the capacity as observers at meet and confer sessions,

and they are not designated as members of the Management Team, unless otherwise designated in this Resolution, as defined by City Council Policy 300-06:

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

Jean Jordan, Assistant City Attorney, Office of the City Attorney

Leslie Fitzgerald, Assistant City Attorney, Office of the City Attorney

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

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

Alison Adema, Senior Deputy City Attorney, Office of the City Attorney

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

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

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/Miguel Merrell
Miguel Merrell
Deputy City Attorney

MM:jvg
October 14, 2022
Or.Dept: Human Resources
CC No. N/A
Doc. No. 3106081

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 01 2022

ELIZABETH S. MALAND
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 11/10/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 01 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOV 14 2022

Date of final passage _____.

(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 *Joselyn Medina*, Deputy

Office of the City Clerk, San Diego, California
314424
Resolution Number R-_____