

#608C
01/30/2023

(R-2023-370)

RESOLUTION NUMBER R- 314586

DATE OF FINAL PASSAGE FEB 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REOPENING OF THE MEET AND CONFER PROCESS RELATED TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DEIGO AND THE DEPUTY CITY ATTORNEYS ASSOCIATION REGARDING POST-EMPLOYMENT HEALTH BENEFITS FOR ELIGIBLE EMPLOYEES WHO WERE HIRED BEFORE JULY 1, 2005 AND RETIRE AFTER MARCH 31, 2012.

WHEREAS, on February 7, 2012, the San Diego City Council (Council) adopted Ordinance O-20133, which approved and ratified the Memorandum of Understanding between the City of San Diego (City) and the Deputy City Attorneys Association (DCAA) for the term of April 1, 2012 through March 31, 2027, regarding Post-Employment Health Benefits for eligible employees who were hired before July 1, 2005 and retire after March 31, 2012 (MOU); and

WHEREAS, on June 26, 2012, Council adopted Ordinance O-20174, which amended the MOU to provide that mandatory employee contributions to the Post-Employment Health Benefits Plan would be made on a post-tax basis to comply with applicable federal tax laws; and

WHEREAS, Article 5 of the of the MOU requires a six (6) vote approval of Council to reopen the meet and confer process, if either the City or DCAA desires to modify the MOU on or after July 1, 2014; and

WHEREAS, in accordance with the requirements of Article 5 of the MOU, the City is seeking a six (6) vote approval of Council to reopen the meet and confer process to modify the MOU by striking the "Me-Too" Clause set forth in Article 9; and

WHEREAS, Council now desires to approve the reopening of the meet and confer process to modify the MOU by striking the "Me-Too" Clause set forth in Article 9; and

WHEREAS, under Article 5 of the MOU, a six (6) vote approval of Council is required for passage of this resolution; 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 City Council of the City of San Diego, that the City Council approves the reopening of the meet and confer process to modify the MOU by striking the "Me-Too" Clause set forth in Article 9.

APPROVED: MARA W. ELLIOTT, City Attorney

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

TJB:jvg
January 12, 2023
Or.Dept: Human Resources
CC No. N/A
Doc. No. 3191219

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 30 2023

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 2/1/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 30 2023, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Kent Lee	<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 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 FEB 01 2023

(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)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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