

RESOLUTION NUMBER R- 315271

DATE OF FINAL PASSAGE DEC 22 2023

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, TO AMEND  
ARTICLE 22 OF THE MEMORANDUM OF UNDERSTANDING  
RELATED TO THE FLEXIBLE BENEFITS PLAN.

WHEREAS, by San Diego Resolution R-314187 (June 23, 2022), the San Diego City Council approved a 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 employees represented by Local 145 for fiscal years 2023 and 2024; and

WHEREAS, the City offers an IRS-qualified cafeteria style benefits program called the Flexible Benefits Plan (FBP) to all eligible employees. Under the FBP, an annual dollar value is set for each eligible employee who may use these FBP credits for a variety of tax-free benefit or cash-in-lieu options or take these FBP credits as taxable cash under certain circumstances; and

WHEREAS, Article 22, section J of the MOU provides: “The parties agree to reopen negotiations over flexible benefit credits if the healthcare plan that most represented employees are enrolled in during calendar year 2023 is projected to increase by more than 5% in calendar year 2024”; and

WHEREAS, based on increases in healthcare costs in the healthcare plan most Local 145-represented employees are enrolled in calendar year 2023 that exceed 5 percent effective January 1, 2024, the City and Local 145 reached a mutual agreement to increase certain impacted flexible benefit tiers by 3.3 percent effective December 1, 2023, as provided in the

Side Letter Agreement (Agreement) on file in the Office of the City Clerk as Document

No. RR- **315271**; and

WHEREAS, the Agreement must be approved by a two-thirds majority vote of the City Council to take effect, in accordance with San Diego Charter section 11.2; 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 Agreement between the City and Local 145 to amend Article 22 of the MOU related to the Flexible Benefits Plan, presented to the City Council and on file in the Office of the City Clerk as Document No. RR- **315271**, is approved, and takes effect upon the date of final passage of this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
Miguel Merrell  
Deputy City Attorney

MM:jvg  
November 27, 2023  
Or.Dept: Human Resources  
CC No. N/A  
Doc. No. 3450858

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 12 2023

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 12/22/23  
(date)

  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 12 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 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"/>
District 4 - vacant	<input 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 DEC 22 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 , Deputy

Office of the City Clerk, San Diego, California

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