

RESOLUTION NUMBER R- 315694

DATE OF FINAL PASSAGE JUL 30 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO POLICE OFFICERS ASSOCIATION TO AMEND ARTICLE 29 OF THEIR MEMORANDUM OF UNDERSTANDING FOR FISCAL YEARS 2025 AND 2026 RELATED TO CALL-BACK PAY.

WHEREAS, by San Diego Resolution R-315582 (June 11, 2024), the San Diego City Council (Council) approved a Memorandum of Understanding (MOU) between the City of San Diego (City) and the San Diego Police Officers Association (POA) regarding terms and conditions of employment for Fiscal Years 2025 and 2026; and

WHEREAS, the Council approved the MOU following several months of collective bargaining between the City and the POA, from December 2023 until April 2024, under the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06; and

WHEREAS, during the collective bargaining, the City's management team and the POA discussed and intended to maintain the current practice within the San Diego Police Department (Police Department) related to payment of call-back pay, and the City and the POA agreed that the provisions related to call-back pay, which are set forth in Article 29 and Article 32 of the MOU, would not be modified; and

WHEREAS, following Council approval of the MOU, in June 2024, the City's management team discovered an error in Article 29 of the approved MOU, in that it did not properly describe the current Police Department practice related to call-back pay; and

WHEREAS, the MOU also did not properly reflect the discussions between the City's management team and the POA during the collective bargaining process, as required by the MMBA and Council Policy 300-06; and

WHEREAS, the City's management team has discussed this error with the POA and now presents an agreement to amend Article 29 of the MOU (Agreement) to properly describe the negotiations and agreements between the City and the POA; and


WHEREAS, the City's management team and the POA intend this Agreement to apply retroactively back to July 1, 2024, upon Council approval of the Agreement by a two-thirds vote in accordance with Charter section 11.2; and

WHEREAS, this Agreement requires final determination of the Council, in accordance with the San Diego City Charter (Charter), the MMBA, and Council Policy 300-06; 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, that, under the authority of the Charter, the MMBA, and Council Policy 300-06, the Council approves the Agreement, on file with the Office of the City Clerk as Document No. **RR-315694**, to amend Article 29 of the MOU, between the City and the POA, covering Fiscal Years 2025 and 2016, approved by the Council by San Diego Resolution R-315582 (June 11, 2024), with the Agreement to apply retroactively back to July 1, 2024.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Joan F. Dawson  
Senior Deputy City Attorney

JFD:jfd  
July 8, 2024  
Or.Dept: Human Resources  
Doc. No. 3712472

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 23 2024.

DIANA J.S. FUENTES  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 7/25/24  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on JUL 23 2024, 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"/>
Henry L. Foster III	<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 JUL 30 2024.

**(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 Linda Arvin, Deputy  
For Connie Patterson

Office of the City Clerk, San Diego, California

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