

Office of
The City Attorney
City of San Diego

S500
01/27

MEMORANDUM

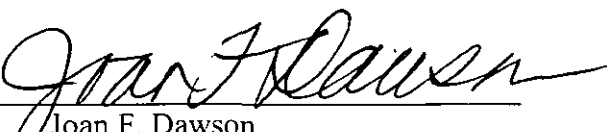
DATE: January 20, 2009
TO: Council President Ben Hueso
FROM: Joan F. Dawson, Deputy City Attorney
SUBJECT: Request to Place Item on Supplemental Agenda for January 26, 2009

On December 1, 2008, the City Council authorized the Mayor to execute an agreement between the City of San Diego and Burke, Williams & Sorensen for the purpose of negotiations with the City's five represented labor organizations. The negotiations will involve discussions of salaries, compensation paid in the form of fringe benefits, and other matters within the statutorily provided scope of employee representation by the labor associations. The negotiations regarding wages and other economic benefits for Fiscal Year 2010 must be completed by April 15, 2009, so that the Salary Ordinance may be introduced by the City Council, pursuant to Charter sections 290 and 70.

The item regarding RESOLUTION TO IDENTIFY THE CITY OF SAN DIEGO'S DESIGNATED MANAGEMENT REPRESENTATIVES FOR PURPOSES OF ANNUAL NEGOTIATIONS WITH THE CITY'S EMPLOYEE ORGANIZATIONS is legally required pursuant to Government Code section 54957.6 and must be approved prior to any closed sessions between the labor negotiators and the City Council. A closed session matter is scheduled for January 27, 2009 for conference with labor negotiator, pursuant to Government Code section 54957.6. There are also presently meet and confer sessions scheduled with the City's labor associations. It is critical for the City Council to review its position and instruct the City's designated representatives. Therefore, it is requested that this matter be placed on the supplemental agenda for January 26, 2009, so that the January 27, 2009 closed session and the scheduled meet and confer sessions may move forward accordingly. A resolution will be prepared and will be delivered to the City Clerk prior to the time the item is considered at the January 26, 2009 meeting.

Thank you for your assistance regarding this matter.

JAN I. GOLDSMITH, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

REQUEST FOR COUNCIL ACTION

CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE) S500
01/27
1/20/2009

TO:
CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
LABOR RELATIONS

4. SUBJECT:
IDENTIFY CITY'S DESIGNATED MANAGEMENT REPRESENTATIVES FOR LABOR NEGOTIATIONS

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)
Scott Chadwick, 619-236-6313, MS 56L

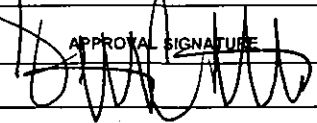
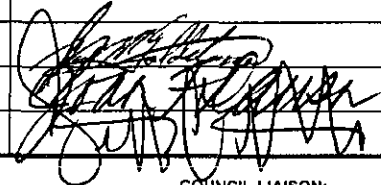
6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)
Pam Holmberg, 619-236-6313, MS 56L

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED ☐

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND					9. ADDITIONAL INFORMATION / ESTIMATED COST:
DEPT.					
ORGANIZATION					
OBJECT ACCOUNT					
JOB ORDER					
C.I.P. NUMBER					
AMOUNT					

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	
1	ORIGINATING DEPARTMENT			8	DEPUTY CHIEF			
2				9	COO		1/20/09	
3				10	CITY ATTORNEY		1/21/09	
4	LIAISON OFFICE			11	ORIGINATING DEPARTMENT			
5				✓	DOCKET COORD: _____ COUNCIL LIAISON: _____			
6					COUNCIL PRESIDENT	<input type="checkbox"/> SPOB	<input type="checkbox"/> CONSENT	<input type="checkbox"/> ADOPTION
7					_____	<input type="checkbox"/> REFER TO: _____	COUNCIL DATE: _____	

11. PREPARATION OF: ☒ RESOLUTION(S) ☐ ORDINANCE(S) ☐ AGREEMENT(S) ☐ DEED(S)

Resolution to identify City's designated Management Representative for purposes of annual negotiations with the City's employee organizations.

11A. STAFF RECOMMENDATIONS:

Approve the requested action and resolution

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): N/A

COMMUNITY AREA(S): N/A

ENVIRONMENTAL IMPACT: This activity is "not" a project and is therefore not subject to CEQA pursuant to State Guidelines Section 15060(c) (3)

HOUSING IMPACT: N/A

OTHER ISSUES: N/A



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED:

REPORT NO:

ATTENTION: Council President and City Council

SUBJECT: Identify City's Designated Management Representatives for Labor Negotiations

REFERENCE: Agreement with Burke, Williams and Sorenson for Professional Consultant Services for FY 2010 Contract Negotiations with the City's Five Recognized Employee Organizations

REQUESTED ACTION: Approve the resolution to identify the City's designated Management Representatives for purposes of annual negotiations with the City's employee organizations.

STAFF RECOMMENDATION: APPROVE THE RESOLUTION.

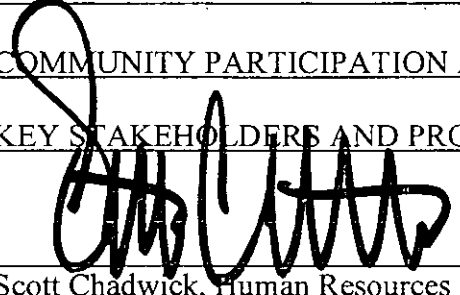
SUMMARY: The City Council and City of San Diego wish to identify its designated representatives for purposes of negotiating with the recognized employee organizations. The representatives designated to execute the agreements are:
William Kay, Timothy Davis, Scott Chadwick, Judy von Kalinowski, Thom Harpole, Kim Nguyen, Woo-Jin Shim, Lourdes Silva, Valerie VanDeweghe, Javier Mainar, Brian Fennessy, David Ramirez, Robert Kanaski, Paul Cooper, Jan Goldsmith, Tanya Tomlinson, Joan Dawson, William Gersten and Lori Thacker.

FISCAL CONSIDERATIONS: None

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: NONE

KEY STAKEHOLDERS AND PROJECTED IMPACTS:



Scott Chadwick, Human Resources Director
Originating Department

Jay Goldstone
Chief Operating Officer

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

RESOLUTION TO IDENTIFY THE CITY OF SAN DIEGO'S
DESIGNATED MANAGEMENT REPRESENTATIVES FOR
PURPOSES OF ANNUAL NEGOTIATIONS WITH THE
CITY'S EMPLOYEE ORGANIZATIONS

WHEREAS, a stated purpose of the Meyers-Milias-Brown Act [MMBA], at California Government Code sections 3500-3511, is to promote full communication between public employers and their employees regarding matters involving wages, hours, and other terms and conditions of employment; and

WHEREAS, the MMBA provides that the governing body of a public agency shall give reasonable written notice to each recognized employee organization affected by any ordinance, rule, resolution, or regulation directly related to matters within the scope of representation proposed to be adopted by the governing body and shall give the recognized employee organization the opportunity to meet with the governing body; and

WHEREAS, pursuant to San Diego City Charter Article XV, section 290, no later than April 15 of each year, the City Council shall introduce a Salary Ordinance fixing the salaries of all officers and employees of the City in accordance with Charter section 70; and

WHEREAS, Charter section 290 mandates that the Salary Ordinance shall be proposed by the Mayor for Council introduction in a form consistent with any existing Memorandum of Understanding with recognized labor organizations, or otherwise in conformance with procedures governed by the MMBA or any other legal requirements governing labor relations that are binding upon the City; and

WHEREAS, pursuant to the MMBA and the Charter of the City of San Diego, the City Council has adopted Council Policy 300-06, entitled "Employee-Employer Relations" to provide orderly procedures for the administration of employer-employee relations between the City and its employee organizations; and

WHEREAS, Government Code section 54957.6(a) provides authority for a legislative body of a local agency to hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation; and

WHEREAS, Government Code section 54957.6 requires that prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives; and

WHEREAS, the City Council of the City of San Diego desires to identify its designated representatives for purposes of negotiating with recognized employee organizations in the City; and

WHEREAS, by Resolution Number 304451, on December 1, 2008, the Council authorized the Mayor, or his designee, to execute an agreement between the City of San Diego and the law firm, Burke, Williams & Sorensen, for consultant services pertaining to the Fiscal year 2010 contract negotiations with the City's five recognized employee organizations and to provide services related to employment relations matters for wages, hours, working conditions, and other terms and conditions as they apply, in the amount not to exceed \$400,000; NOW, THEREFORE,


BE IT RESOLVED, by the Council of the City of San Diego as follows:

1. The foregoing recitals are true and correct, and are deemed to be findings of the City Council.
2. Pursuant to Government Code section 54957.6(a) and other applicable statutory law and the City Charter, the City Council identifies its designated representatives for purposes of negotiating with represented employee organizations as follows:

William Kay, Burke, Williams & Sorensen
Timothy Davis, Burke, Williams & Sorensen
Scott Chadwick, Labor Relations Director
Judy von Kalinowski, Deputy Labor Relations Director
Thom Harpole, Senior Labor Relations Officer
Kim Nguyen, Labor Relations Officer
Woo-Jin Shim, Labor Relations Officer
Lourdes Silva, Labor Relations Officer
Valerie VanDeweghe, Deputy Director, Risk Management
Javier Mainar, Assistant Fire Chief
Brian Fennessy, Deputy Fire Chief
David Ramirez, Executive Assistant Police Chief
Robert Kanaski, Assistant Police Chief
Paul Cooper, Assistant/Advisor to the Police Chief
Jan Goldsmith, City Attorney
Tanya Tomlinson, Deputy Director, City Attorney's Office
Joan Dawson, Deputy City Attorney
William Gersten, Deputy City Attorney
Lori Thacker, Deputy City Attorney

3. This Resolution shall take effect immediately on the passage thereof.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

JFD:jdf
01/20/09
Or.Dept:Labor
R-2009-792

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor