

ORDINANCE NUMBER O- 21503 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 12 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING REVISIONS TO EXHIBITS FOR
THE FISCAL YEAR 2023 SALARY ORDINANCE RELATED
TO SPECIFIED REPRESENTED CLASSIFICATIONS.

WHEREAS, San Diego Charter (Charter) sections 11.1 and 290 provide, in pertinent part, that the San Diego City Council (Council or City Council) annually adopts a Salary Ordinance, establishing salaries and wages of all officers and employees of the City of San Diego (City), in accordance with Charter sections 70 and 130; and

WHEREAS, Charter section 290 requires that the Salary Ordinance be proposed by the Mayor for introduction by the Council no later than April 15 of each year, so that the Salary Ordinance becomes a controlling document for preparation of the City's budget and the Annual Appropriation Ordinance for the ensuing fiscal year; and

WHEREAS, Charter section 11.1 mandates that the Council adopt the Salary Ordinance no later than May 30 of each year, after considering all relevant evidence including the needs of the citizens for municipal services, giving priority to the funding of police protection, the ability of the citizens to pay for municipal services, local economic conditions, and other relevant factors as the Council deems appropriate; and

WHEREAS, Charter section 11.1 also requires that the Salary Ordinance comply with any collective bargaining laws binding the City as a public agency employer; and

WHEREAS, the City is subject to the Meyers-Milias-Brown Act (MMBA), the state law set forth at California Government Code sections 3500 through 3511, that establishes collective bargaining rules for local public agencies; and

WHEREAS, the MMBA requires the City to engage in a meet and confer process with its recognized employee organizations and to endeavor to reach agreement on matters within the scope of representation, including wages, prior to the Council's adoption of its final budget for the ensuing fiscal year; and

WHEREAS, Charter section 290 further mandates that the Salary Ordinance be introduced in a form consistent with existing Memoranda of Understanding (MOUs) with any of the City's recognized employee 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, including the Charter, City Council-approved Civil Service Rules, and Personnel Regulations; and

WHEREAS, on April 26, 2022, by San Diego Ordinance O-21453, the Council approved the Fiscal Year 2023 Salary Ordinance (Fiscal Year 2023 Salary Ordinance), after its introduction on April 12, 2022, and approval by the Mayor on April 14, 2022; and

WHEREAS, at the time of consideration of the Fiscal Year 2023 Salary Ordinance, under the dates set forth in the Charter, the City had not yet completed the MMBA-required collective bargaining process with five of its recognized employee organizations; and

WHEREAS, in adopting the Fiscal Year 2023 Salary Ordinance, the Council acknowledged the City's management team for labor negotiations was negotiating successor MOUs with the San Diego City Firefighters, International Association of Firefighters Local 145 (Local 145), the California Teamsters Local 911 (Local 911), and the San Diego Police Officers Association (SDPOA), and meeting and conferring with the San Diego Municipal Employees Association (MEA) and Local 127, American Federation of State, County and Municipal Employees, AFL-CIO (Local 127) regarding special salary/wage adjustments; and

WHEREAS, in adopting the Fiscal Year 2023 Salary Ordinance, the Council recognized it would be required to consider any agreed-upon salary/wage increases or special salary/wage adjustments for employees represented by these recognized employee organizations by separate action, in compliance with the MMBA, Council Policy 300-06, the Charter, and this Salary Ordinance; and

WHEREAS, on June 21, 2022, after approval of the Fiscal Year 2023 Salary Ordinance, Council approved MOUs with Local 145, Local 911, and SDPOA, which provide for general wage/salary increases in Fiscal Year 2023 for employees represented by these recognized employee organizations; and

WHEREAS, also on June 21, 2022, Council approved Side Letter Agreements with MEA and Local 127 concerning special wage/salary adjustments in Fiscal Year 2023 for certain employees represented by these recognized employee organizations; and

WHEREAS, the Mayor is now recommending Council approval of revisions to the Fiscal Year 2023 wage/salary rates set forth in the exhibits to the Fiscal Year 2023 Salary Ordinance to reflect the general wage/salary increases and special salary/wage adjustments for certain represented classifications; and

WHEREAS, the Council wishes to approve the Mayor's recommendation, by approving the necessary revisions to the exhibits to the Fiscal Year 2023 Salary Ordinance to reflect the general wage/salary increases and special salary/wage adjustments for certain represented classifications; and

WHEREAS, on May 24, 2022, by San Diego Ordinance O-21460, the Council also approved revisions the Fiscal Year 2023 Salary Ordinance to reflect special salary/wage adjustments for certain classified, unrepresented employees; and

WHEREAS, the Council intends that the revised base rates of pay for certain classified, represented employees in the revised exhibits to the Fiscal Year 2023 Salary Ordinance in this Ordinance will supersede the base rates of pay for the specified classifications, as set forth in the Fiscal Year 2023 Salary Ordinance and in the revised exhibits attached to San Diego Ordinance O-21460, and these revised exhibits contain all previously approved salary/wage increases and adjustment approved by the Council for Fiscal Year 2023; NOW, THEREFORE,

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

Section 1. That the Council, in accordance with Charter sections 70, 265(b)(3), and 290, approves the revised exhibits to the Fiscal Year 2023 Salary Ordinance, which are all on file in the Office of the City Clerk as Document No. OO- 21503.

Section 2. That a full reading of this Ordinance is dispensed with before its passage, a written or printed copy having been available to the City Council and the public before the day of its passage.

Section 3. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage, with the provisions relating to Fiscal Year 2023 pay to be effective on the dates set forth herein.

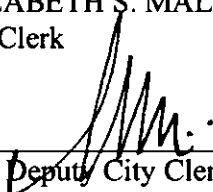
APPROVED: MARA W. ELLIOTT, City Attorney

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

TJB:jvg
June 21, 2022
Or.Dept: Human Resources
Doc. No.: 3011039

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 12 2022.

ELIZABETH S. MALAND
City Clerk

By  _____
Deputy City Clerk

Approved: 7/1/22
(date)

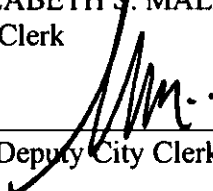
 _____
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

I certify that the foregoing Ordinance was introduced by the Council of the City of San Diego on JUN 28 2022; approved by the Mayor pursuant to San Diego Charter section 290 on JUL 01 2022; and passed by the City Council at its meeting of JUL 12 2022.

ELIZABETH S. MALAND
City Clerk

By  _____
Deputy City Clerk

Passed by the Council of The City of San Diego on JUL 12 2022, 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"/>
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 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"/>

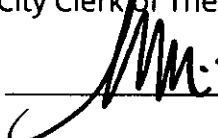
Date of final passage JUL 12 2022.

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 , Deputy

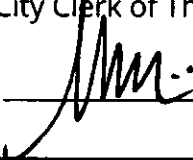
I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 28 2022, and on JUL 12 2022.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21503