

RESOLUTION NUMBER R- 315572

DATE OF FINAL PASSAGE JUN 1 1 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A SIDE LETTER AGREEMENT BETWEEN THE CITY AND DEPUTY CITY ATTORNEYS ASSOCIATION OF SAN DIEGO, TO AMEND ARTICLE 22 OF THE MEMORANDUM OF UNDERSTANDING RELATED TO PAYMENT OF UNUSED FLOATING HOLIDAY UPON SEPARATION OF EMPLOYMENT.

WHEREAS, by San Diego Resolution R-314968 (June 12, 2023), the San Diego City Council approved a Memorandum of Understanding (MOU) between the City of San Diego and the Deputy City Attorneys Association of San Diego (DCAA) regarding terms and conditions of employment for employees represented by DCAA for fiscal years 2024 through 2026; and

WHEREAS, Article 22, section B of the MOU provides floating holiday credit based on an employee's regularly scheduled shift, up to eight hours. The floating holiday must be used before June 30 of the fiscal year it was accrued; however, full-time, three-quarter time, and half-time employees who separate from employment and have not used their accrued floating holiday receive pay-in-lieu equivalent to eight hours, six hours, and four hours of floating holiday credit, respectively; and

WHEREAS, the City and DCAA entered into an agreement to amend Article 22, section B to provide that employees will be paid for their unused floating holiday upon separation of employment based on their last regularly scheduled workday, up to eight hours (Agreement), on file in the Office of the City Clerk Document No. RR- 315572; and

WHEREAS, the Agreement also provides that the proposed implementation of the amendment would be effective on July 1, 2024; and

WHEREAS, the Agreement must be approved by a two-thirds majority vote of the 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 to amend Article 22, section B of the MOU related to payment of unused floating holiday upon separation of employment, presented to the Council and on file in the Office of the City Clerk as Document No. RR- 315572, is approved.

APPROVED: MARA W. ELLIOTT, City Attorney

By  _____
Jim McNeill
Assistant City Attorney

MM:jvg:jdf
04/30/2024
Or.Dept: Human Resources
CC No. N/A
Doc. No. 3636907

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 04 2024.

DIANA J.S. FUENTES
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 6/11/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 04 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUN 11 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.

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

(Seal)

By Krystell Medina, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>315572</u>