



# Memorandum

**TO:** RULES AND OPEN  
GOVERNMENT COMMITTEE

**FROM:** Councilmember Sam Liccardo

**SUBJECT:** MEASURE B

**DATE:** December 10, 2014

Approved

Date

12-10-14

## RECOMMENDATION

Direct the City Manager to return to Council in closed session in January to:

1. Propose a process for re-commencing negotiation of settlement of the Measure B-related lawsuits brought by City unions against the City;
2. Defer implementation of specific provisions of Measure B, with stipulation of all of the parties—specifically those provisions relating to the definition of “disability” and the dedication of 4% of employee pay to the Retirement Plans—until July 1, 2016, to allow an opportunity for negotiations to reach a fruitful conclusion;
3. Discuss how to best move forward with negotiations on pre-existing City proposals to the Police Officers Association (to which the POA has not yet responded), including but not limited to bilingual pay increase, incentives for retirement-eligible officers to remain on active duty (“PSRP”), and protections for injured officers to retain their pay level in other city positions (“Y-rating”).

## DISCUSSION

Immediately upon the June 2012 passage of the pension reform measure, Measure B, our bargaining units filed lawsuits challenging the measure, as expected. The Superior Court upheld 12 of the 15 provisions in the measure, and both sides have appealed to the 6<sup>th</sup> District.

Since that time, in the Spring of 2014, the City and unions commenced negotiations to settle these lawsuits, and a proposal was submitted by several unions to modify the measure in various ways. Those negotiations ran out of time, given the need to have a proposal approved by union members and the City prior to the Council’s vote to place items on the ballot by August.

It’s time to re-start those negotiations, and to express to our employees our intention to negotiate in good faith. I look forward to those conversations.