

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Dean Preston, Chair
Government Audit and Oversight Committee

FROM: John Carroll, Assistant Clerk

DATE: June 4, 2023

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, June 6, 2023

The following file should be presented as COMMITTEE REPORT at the regular Board meeting on Tuesday, June 6, 2023. This ordinance was acted upon at the regular Government Audit and Oversight Committee meeting on Thursday, June 1, 2023 at 10:00 a.m., by the votes indicated.

Item No. 30 **File No. 230568**

Ordinance adopting and implementing the Second Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, effective July 1, 2023, to adopt a side letter agreement to reinstate the Airport Employee Transit Pilot Program at San Francisco International Airport.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Dean Preston - Aye
Supervisor Connie Chan - Aye
Supervisor Rafael Mandelman - Aye

Cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Anne Pearson, Deputy City Attorney

File No. 230568

Committee Item No. 12

Board Item No. 30

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: June 1, 2023

Board of Supervisors Meeting:

Date: June 6, 2023

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU - FY2022-2024 - Clean
- MOU - FY2022-2024 - Redline
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- DHR Presentation – June 1, 2023
- MOU Amend No. 2 – May 12, 2023
- MOU Referral – May 22, 2023
- Committee Report Request Memo – May 24, 2023
- Cost Analysis – May 26, 2023
- _____
- _____
- _____

Prepared by: Stephanie Cabrera

Date: May 23, 2023

Prepared by: John Carroll

Date: June 3, 2023

Prepared by: _____

Date: _____

1 [Memorandum of Understanding - Municipal Executives Association - Amendment No. 2]

2

3 **Ordinance adopting and implementing the Second Amendment to the 2022-2024**
4 **Memorandum of Understanding between the City and County of San Francisco and the**
5 **Municipal Executives Association, effective July 1, 2023, to adopt a side letter**
6 **agreement to reinstate the Airport Employee Transit Pilot Program at San Francisco**
7 **International Airport.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

12

13 Be it ordained by the People of the City and County of San Francisco:

14

15 Section 1. The Board of Supervisors hereby adopts and implements the Second
16 Amendment to the 2022-2024 Memorandum of Understanding (“MOU”) between the City and
17 County of San Francisco and the Municipal Executives Association, effective July 1, 2023, to
18 adopt a side letter agreement to reinstate the Airport Employee Transit Pilot Program at San
19 Francisco International Airport.

20 The Second Amendment to the MOU so implemented is on file with the Clerk of the
21 Board of Supervisors in Board File No. 230568.

22

23 Section 2. The Board of Supervisors hereby authorizes the Department of Human
24 Resources to make non-substantive ministerial or administrative corrections to the MOU.

25

1 Section 3. This ordinance shall become effective upon enactment. Enactment occurs
2 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
3 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
4 Mayor's veto of the ordinance.

5
6 APPROVED AS TO FORM:
7 DAVID CHIU, City Attorney

8 By: /s/
9 JONATHAN C. ROLNICK
Chief Labor Attorney

10 n:\labor\as2023\2200208\01676609.docx

Department of Human Resources Negotiations Update

Government Audit and Oversight Committee
Board of Supervisors
June 1, 2023





MEA Fire Chiefs Tentative Agreement

Wage Increases (10.75% over three years):

- **July 1, 2023** – 2.5% wage increase
- **January 6, 2024** – 2.25% wage increase
- **January 4, 2025** – 3% wage increase*
- **July 1, 2025** – 3% wage increase**

*Can be delayed by 6 months if the City's projected financial deficit for FY24-25 is greater than \$300 million

**Can be delayed by 12 months if the City's projected financial deficit for FY25-26 is greater than \$300 million

Retention Pay

- 7/1/24 – 1% at 24 months in unit; Additional 1% at 30 months in unit (2 of 8 currently eligible)

Merit Pay

- Merit pay adjustments may be awarded 0%-5% of base annual salary



MEA Fire Chiefs Agreement Cost

SF MEA Fire Agreement Cost by Fiscal Year

		<u>FY23-24</u>	<u>FY24-25</u>	<u>FY 25-26</u>
Wages, Training Fund, Merit Pay and Retention Pay		\$367,000	\$479,000	\$675,000
1% Total Compensation		\$38,352		

1% numbers are calculated using budgeted salary with known increases and the previous year's actuals for holidays, overtime, and premiums.



MEA Police Chiefs Tentative Agreement

Wage Increases (10.75% over three years):

- **July 1, 2023** – 2.5% wage increase
- **January 6, 2024** – 2.25% wage increase
- **January 4, 2025** – 3% wage increase*
- **July 1, 2025** – 3% wage increase**

*Can be delayed by 6 months if the City's projected financial deficit for FY24-25 is greater than \$300 million

**Can be delayed by 12 months if the City's projected financial deficit for FY25-26 is greater than \$300 million

Retention Pay

- 7/1/24 – 1% at 24 months in unit; Additional 1% at 30 months in unit

Compaction

- Commanders - 2% ATB increase on 7/1/24; 3% ATB increase on 1/3/26
- Assistant Chiefs – 7/1/24 - Additional 3% step at 2 years in position



MEA Police Chiefs Agreement Cost

SF MEA Police Agreement Cost by Fiscal Year

		<u>FY23-24</u>	<u>FY24-25</u>	<u>FY 25-26</u>
Wages, Retention Pay, Compaction Adjustments, Training Fund, LWLP		\$211,000	\$486,000	\$786,000
1% Total Compensation		\$53,437		

1% numbers are calculated using budgeted salary with known increases and the previous year's actuals for holidays, overtime, and premiums.

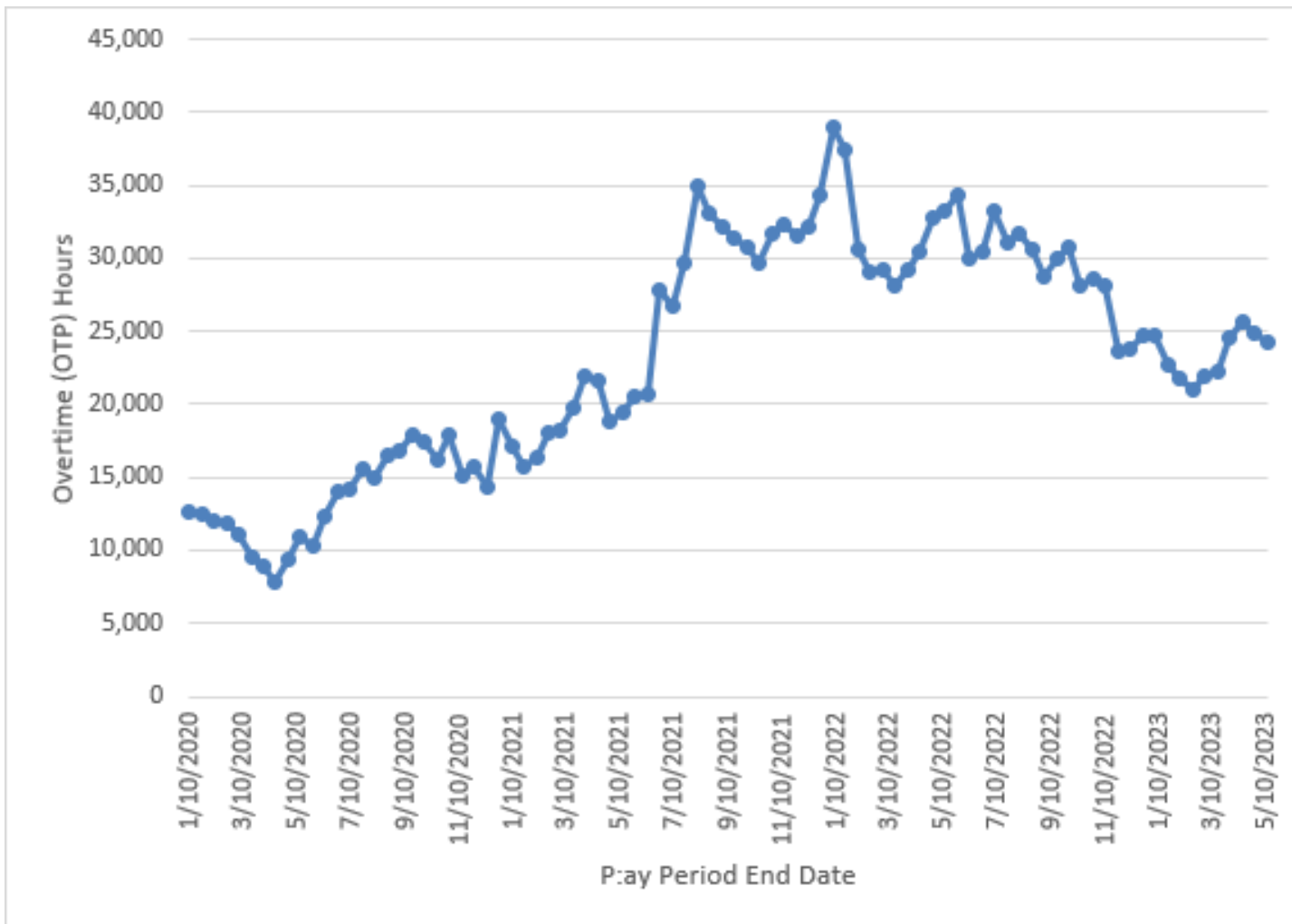


MOU Amendments: Local 798

- Employees on a 48.7-hour work week must work more than 106 hours in the 14-day PPSD before earning 1.5x overtime.
- Amendment allows the Chief of the Fire Department to request an exemption to minimize mandatory overtime from the Human Resources Director.



MOU Amendments: Local 798





MOU Amendments: SEIU

- **Classification Studies and Equity Side Letter**
 - Added additional classifications to be analyzed
 - 1209 Benefits Technician and 1210 Benefits Analyst
 - 1820 Junior Administrative Analyst
 - 3375 Animal Health Technician
 - 8238/8239 Public Safety Communications Dispatcher/Supervisor
- **Public Safety Communications Dispatchers Step Adjustment**
 - Added 5% salary step for 8238 and 8239 to address recruitment and retention
 - Costs: \$1,542,000 in FY 2023-2024
- **Emergency Response (ER) Retention Payments**
 - Payments to Human Services Agency ER employees paid for by the State
 - FY2021-2022: \$99,725
 - FY2022-2023: \$106,000



MOU Amendments: MEA

- Emergency Response (ER) Retention Payments
 - Payments to Human Services Agency ER employees paid for by the State
 - FY2021-2022: \$18,275
 - FY2022-2023: \$12,000
- Airport Parking
 - Reinstate pilot program consistent with other employees at the Airport



Unrepresented Ordinance

- Annual submission
- Wages and benefits align with what is provided to MEA
- Covers: Mayoral Staff, Employee Relations Division, SFMTA Employee Relations Staff, Human Resources Director, Controller, Port Director, Confidential Chief Attorney II (Civil & Criminal)



A8.590-5(d)

Charter Factors for Arbitrator Consideration

- **Changes in the average consumer price index** for goods and services
- Wages, hours, benefits and terms and conditions of employment of **employees performing similar services**
- Wages, hours, benefits and terms and conditions of **other employees in the City and County of San Francisco**
- **Formulas** provided for in this Charter for the establishment and maintenance of wages, hours, benefits and terms and conditions of employment
- The **financial condition of the City and County of San Francisco** and its ability to meet the costs of the decision



Thank You





OFFICE OF THE CONTROLLER

CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield
Controller
Todd Rydstrom
Deputy Controller

May 26, 2023

Ms. Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Numbers 230564 - 230568: Amendments to Memoranda of Understanding (MOU) between the City and County of San Francisco and various Unions representing City bargaining units

Dear Ms. Calvillo,

In accordance with Ordinance 92-94, I submit a cost analysis of five amendments to current MOUs. The amended MOUs cover the period July 1, 2022 through June 30, 2024.

File number 230564 amends the MOU with SEIU, Local 1021, Miscellaneous, to add job classes that will be studied for future compensation adjustments. It has no cost.

File number 230565 amends the MOU with SEIU, Local 1021, Miscellaneous to create an additional 5% salary step to classifications 8238 Public Safety Communications Dispatcher and 8239 Public Safety Communications Supervisor. The amendment affects 144 positions. The costs are entirely supported by the General Fund.

SEIU, Local 1021, Miscellaneous	FY 2023-24
Additional Step for Public Safety Dispatchers	\$ 1,542,000
Union Total	\$ 1,542,000
<i>% of Wage and Benefits Base</i>	<i>0.10%</i>

File numbers 230566 and 230567 implement a section of State Senate Bill 170 which provides for retention payments for certain child welfare emergency responder workers in SEIU, Local 1021, Miscellaneous and Municipal Executives' Association – Miscellaneous. The total value of the payments is Two hundred thirty-six thousand dollars (\$236,000), which is funded by the State. There is a cost to the City of approximately sixteen thousand dollars (\$16,000) to cover the employer share of FICA payroll taxes.

File number 230568 amends the MOU with Municipal Executives' Association – Miscellaneous to establish a program that provides payments to employees at the airport who elect to give up their allocated parking space in return for a monthly two hundred dollar (\$200) payment to cover the costs of public transportation. Based on previous experience when this program was in effect, the expected cost is twenty-nine thousand dollars (\$29,000).

If you have additional questions or concerns, please contact me at (415)-554-7500 or Carol Lu of my staff at (415)-554-7643.

Sincerely,

A handwritten signature in blue ink, appearing to read "BJR", enclosed within a light blue oval shape.

Ben Rosenfield
Controller

cc: Ardis Graham, Employee Relations Director
Severin Campbell, Budget Analyst

AMENDMENT NO. 2
TO THE 2022-2024 MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY AND COUNTY OF SAN FRANCISCO
AND
MUNICIPAL EXECUTIVES' ASSOCIATION

The parties hereby agree to amend the Memorandum of Understanding as follows, subject to approval by the San Francisco Board of Supervisors and ratification by the Municipal Executives' Association:

SIDE LETTER AGREEMENT
BETWEEN
THE CITY AND COUNTY OF SAN FRANCISCO AND THE
MUNICIPAL EXECUTIVES' ASSOCIATION
EMPLOYEE COMMUTE OPTION (ECO) PROGRAM

The parties mutually agree to this Side Letter to the Memorandum of Understanding ("MOU") between the City and County of San Francisco and the Municipal Executives Association (July 1, 2022 – June 30, 2024). This Side Letter will be effective July 1, 2023 subject to the approval of the San Francisco Board of Supervisors. By signing the this Side Letter, the parties agree to recommend the approval of this Side Letter Agreement.

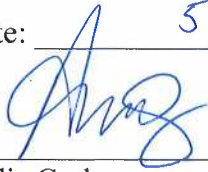
The City and County of San Francisco and the Municipal Executives' Association agree to reinstate the Airport Employee Transit Pilot Program from the parties' MOU for July 1, 2014 – June 30, 2019, as follows:

Airport Employee Commute Option Program

The San Francisco International Airport ("SFIA") will implement a voluntary Employee Commute Option (ECO) Program to encourage employees to use public transportation to commute to and from SFIA work locations. Under the ECO Program, employees who relinquish their SFIA-provided free parking privileges will receive a monthly subsidy in an amount set by SFIA consistent with Internal Revenue Code 132(a)(5) for the purpose stated above. The SFIA reserves the right to amend or discontinue the ECO Program in its sole discretion, at any time for any reason, including but not limited to a lack of funding as determined by the SFIA. However, prior to any changes to the ECO Program as determined by SFIA, a minimum of 2 weeks' notice to MEA and MEA represented employees will be provided. This program is not subject to the grievance procedure.

FOR THE CITY

Date: 5/12/2023



Ardis Graham
Employee Relations Director

FOR THE UNION

Date: 5/12/23



Criss Romero
Executive Director

APPROVED AS TO FORM:

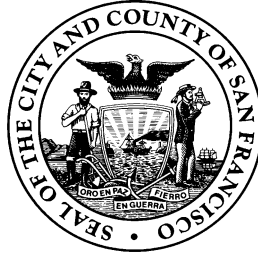
DAVID CHIU
City Attorney

Date: 5/12/23



Jonathan Rolnick
Chief Labor Attorney

BOARD of SUPERVISORS



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MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller

FROM: Stephanie Cabrera, Assistant Committee Clerk
Government Audit and Oversight Committee, Board of Supervisors

DATE: May 22, 2023

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced Mayor London Breed on May 16, 2023:

1. File No. [230561](#) **Municipal Executives' Association, Fire Successor MOU (July 1, 2023, through June 30, 2026)**
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association - Fire, to be effective July 1, 2023, through June 30, 2026.
2. File No. [230562](#) **Municipal Executives' Association, Police Successor MOU (July 1, 2023, through June 30, 2026)**
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association - Police, to be effective July 1, 2023, through June 30, 2026.
3. File No. [230563](#) **Unrepresented Employees Ordinance (July 1, 2023, through June 30, 2024)**
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and other terms and conditions of employment and methods of payment effective July 1, 2023.
4. File No. [230448](#) **San Francisco Fire Fighters, Local 798 Unit 1 – MOU Amendment #1 (Overtime)**
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 1, to be effective July 1, 2023, through June 30, 2026.

5. File No. [230449](#) **San Francisco Fire Fighters, Local 798 Unit 2 – MOU Amendment #1 (Overtime)**
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 2, to be effective July 1, 2023, through June 30, 2026.
6. File No. [230564](#) **SEIU, Local 1021, Miscellaneous – MOU Amendment #2 (Classification Studies And Equity Adjustments Side Letter)**
Ordinance adopting and implementing the Second Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, effective July 1, 2023, to adopt a side letter agreement to undertake classification studies and equity adjustments for certain represented classifications.
7. File No. [230565](#) **SEIU, Local 1021, Miscellaneous – MOU Amendment #3 (Dispatchers Step Adjustment)**
Ordinance adopting and implementing the Third Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union Local 1021, effective July 1, 2023 to amend, the compensation provision for 8238 Public Safety Communications Dispatcher and 8239 Senior Police Communications Dispatcher to provide an additional sixth salary step to both classifications.
8. File No. [230566](#) **SEIU, Local 1021, Miscellaneous – MOU Amendment #4 (ER Retention Payment)**
Ordinance adopting and implementing the Fourth Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, effective July 1, 2023, to adopt a side letter agreement for a retention payment program for certain Human Services Agency employees who provide child welfare emergency response services.
9. File No. [230567](#) **Municipal Executives' Association – MOU Amendment #1 (ER Retention Payment)**
Ordinance adopting and implementing the First Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, effective July 1, 2023, to adopt a side letter agreement for a retention payment program for certain Human Services Agency employees who provide child welfare emergency response services.
10. File No. [230568](#) **Municipal Executives' Association – MOU Amendment #2 (Airport Parking)**
Ordinance adopting and implementing the Second Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, effective July 1, 2023, to adopt a side letter agreement to reinstate the Airport Employee Transit Pilot Program at San Francisco International Airport.

These matters are being forwarded to you for a cost analysis.

Please forward your analysis to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: Stephanie.Cabrera@sfgov.org.

2023 MOU Referral

May 22, 2023

Monday, May 22, 2023

Page 3

cc: Todd Rystrom, Office of the Controller
Michelle Allersma, Office of the Controller
Carol Lu, Office of the Controller

Member, Board of Supervisors
District 5



City and County of San Francisco

DEAN PRESTON

DATE: May 24, 2023

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Dean Preston, Chair, Government Audit and Oversight Committee

RE: Government Audit and Oversight Committee
COMMITTEE REPORT

Pursuant to Board Rule 4.20, as Chair of the Government Audit and Oversight Committee, I have deemed the following matters of an urgent nature and request they be considered by the full Board on Tuesday, June 6, 2023, as Committee Reports:

1. [230537](#) Contract Amendment - HealthRIGHT 360 - Check-Writing Services - Not to Exceed \$107,416,172
2. [230448](#) San Francisco Fire Fighters, Local 798 Unit 1 – MOU Amendment #1 (Overtime)
3. [230449](#) San Francisco Fire Fighters, Local 798 Unit 2 – MOU Amendment #1 (Overtime)
4. [230561](#) Municipal Executives' Association, Fire Successor MOU (July 1, 2023, through June 30, 2026)
5. [230564](#) SEIU, Local 1021, Miscellaneous – MOU Amendment #2 (Classification Studies And Equity Adjustments Side Letter)
6. [230565](#) SEIU, Local 1021, Miscellaneous – MOU Amendment #3 (Dispatchers Step Adjustment)
7. [230566](#) SEIU, Local 1021, Miscellaneous – MOU Amendment #4 (ER Retention Payment)
8. [230567](#) Municipal Executives' Association – MOU Amendment #1 (ER Retention Payment)
9. [230568](#) Municipal Executives' Association – MOU Amendment #2 (Airport Parking)
10. [230563](#) Unrepresented Employees Ordinance (July 1, 2023, through June 30, 2024)
11. [230562](#) Municipal Executives' Association, Police Successor MOU (July 1, 2023, through June 30, 2026)
12. [230432](#) Authorization to Expend Funds for Yosemite Slough Sediment Site Studies

These matters will be heard in the Government Audit and Oversight Committee at a Regular Meeting on Thursday, June 1, 2023, at 10:00 a.m.

A handwritten signature in blue ink, appearing to read "Dean Preston".