

**AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND
THE SAN DIEGO POLICE OFFICERS ASSOCIATION TO AMEND ARTICLE 63 OF THE MEMORANDUM OF
UNDERSTANDING RELATED TO SPECIALTY PAYS**

The City of San Diego (City) and the San Diego Police Officers Association (POA) enter into this Agreement under the Meyers-Millias-Brown Act and San Diego City Council Policy 300-06 to amend Article 63 of the Memorandum of Understanding (MOU) related to Specialty Pays. The City and the POA are collectively referred to as the "Parties."

RECITALS

In April 2024, the Parties reached agreement on a successor Memorandum of Understanding (MOU) for Fiscal Years 2025 and 2026, effective July 1, 2024. Subsequently, POA members ratified the MOU in May 2024. By San Diego Resolution R-315582 (June 11, 2024), the San Diego City Council (Council) approved the MOU.

On June 17, 2022, a number of individual City police officers filed a lawsuit against the City in San Diego Superior Court, titled *Noe Cordero et al. v. City of San Diego* (San Diego Superior Court case number 37-2022-00023593-CU-BC-CTL) (*Cordero* case), alleging violations of the City's MOUs with the POA regarding the payment of special assignment pay for members of the Police Department's Special Weapons and Tactics Team (SWAT) who are members of SWAT's Special Response Team (SRT).

On February 27, 2023, the City filed a notice with the San Diego Superior Court requesting removal of the *Cordero* case to the United States District Court because of the potential federal law issues involved. The *Cordero* case is presently before the United States District Court, case number 3:23-CV-00365-LAB-JLB.

On October 9, 2024, the City updated the earnings code used for SRT specialty pay by using the "1SRT" designated as "Special Response Team" pay in lieu of the "1SWR" code designated as "SWAT Trainer" pay in the City's payroll system.

On October 18, 2024, POA filed a grievance alleging that SRT members should continue receiving "SWAT Trainer" pay under MOU Article 63 (Grievance).

To resolve the Grievance and the claims in the *Cordero* case regarding prospective specialty pay alleged to be due to SRT members, the City agreed to negotiate with the POA a 3.5% SWAT Trainer Pay for all SRT members.

The Parties agree to the following:

1. The Parties have satisfied all obligations under the Meyers-Millias-Brown Act, Council Policy 300-06, and other applicable laws and regulations to meet and confer in good faith on the subject matter of this Agreement.
2. The Parties agree that the Recitals above are true and correct and establish the basis and intent of this Agreement.
3. POA agrees to dismiss with prejudice the Grievance filed on October 18, 2024, upon Council approval of this Agreement.
4. The Parties agree to amend the MOU as follows, with retroactive application to January 18, 2025:
 - a. Article 63, section G, will be amended to read:

~~G. Trainer Pay. Officers working as trainers, as determined by the Chief of Police, while assigned as and performing the duties of a trainer in the manner specified by the Department will receive additional compensation of 3.5% of employee's base rate. The Chief~~

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of Police or designee has authority to assign individual officers to work as trainers, in one or more disciplines, and to be compensated for the assignment by an additional 3.5 % of the employee's base rate of pay while performing the assignment. However, no officer is entitled to receive more than 3.5 % of their base rate of pay for working as a trainer, regardless of the number of training assignments in various disciplines that they simultaneously hold under this section or any other provision of this MOU. Field Training Officers are not entitled to Trainer Pay under this section.

b. Article 63, section I, will be amended to read:

I. SWAT Specialty Pays.

1. **Effective January 18, 2025, employees in the classifications of Police Officer II, Police Officer III, Police Sergeant, and Police Lieutenant assigned to the SWAT Primary Response Team (PRT) will receive an additional 3.5% of the employee's base pay, as long as they are assigned to SWAT PRT. (SWAT TEAM – 1SWT)**
2. **~~SWAT officers that are members of the Special Response Team (SRT)~~ Effective January 18, 2025, employees in the classifications of Police Officer II, Police Officer III, and Police Sergeant assigned to the SWAT Special Response Team (SRT) will receive an additional ~~3.5~~ 10.5% of the employee's base pay, as long as they are assigned to SWAT SRT, with the pay broken down as follows: Snipers will also be eligible to receive this additional pay.**
 - a. **3.5% SWAT PRT Pay, as listed in I.1. above. (SWAT TEAM – 1SWT)**
 - b. **3.5% SWAT SRT Pay. (SPECIAL RESPONSE – 1SRT)**
 - c. **3.5% SWAT Trainer Pay. (SWAT TRAINER – 1SWR)**
3. **SWAT Snipers in the classifications Police Officer II, Police Officer III, and Police Sergeant will receive an additional 3.5% of the employee's base pay, as long as they are assigned as SWAT Snipers. (SWAT SNIPER – 1SWS)**
4. **SWAT specialty pays for employees assigned to SWAT must not exceed a combined total of 14.0% of the employee's base pay.**
5. **These specialty pays are pensionable and included in the calculation of "base compensation" under the City's defined benefit pension plan, as set forth in the San Diego Municipal Code.**
5. The Parties acknowledge and understand that this Agreement will only take effect upon approval by the Council, and the effective date of this Agreement will be the date of final passage of the Council's action.
6. With Council approval, the Parties agree that the new 3.5% SRT Training Pay will be applied retroactively to January 18, 2025, as stated in paragraph 4 above.

This Agreement is executed by the following authorized representatives of the Parties:

For POA

For the City of San Diego

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By: 

Brad Fields
Lead Negotiator

Date: 3/19/2025

By: 

Tim Davis
Lead Negotiator

Date: 4/22/25

By: 

Abby Jarl-Veltz
Deputy Director, Human Resources
Department

Date: 4/29/25

By: 

Erik Hanson
Senior Human Resources Officer, Human
Resources Department

Date: 4/29/25

Approved as to form this

2nd

day of

May

20

25

Heather Ferbert, City Attorney

By: 