

SIDE LETTER AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, LOCAL 127 TO AMEND ARTICLE 37 OF THE MEMORANDUM OF UNDERSTANDING REGARDING “D” MILEAGE REIMBURSEMENT RATES

Pursuant to the provisions of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06, this Side Letter Agreement (Agreement) is entered into between the City of San Diego (City) and the American Federation of State, County and Municipal Employees, Local 127 (Local 127) to amend Article 37 of the Memorandum of Understanding (MOU) between the City and Local 127 approved by San Diego Resolution R-313570 dated June 11, 2021. The City and Local 127 are collectively referred to as the “Parties.”

Article 37, section B outlines the “D” mileage reimbursement plan for eligible employees who use their personal vehicle for City business. The MOU has no provision that authorizes payment of an automatic increase in the agreed upon “D” mileage reimbursement rates during the term of the MOU based on gas prices or any other factor impacting the adequacy of the reimbursement rates.

However, during the third quarter of Fiscal Year 2022, gas prices increased up to approximately \$6 per gallon in San Diego County. Therefore, the Parties met and conferred regarding implementation of a temporary increase to the “D” mileage rates during the term of the MOU.

The Parties agree as follows:

1. The Parties have satisfied all obligations under the MMBA, Council Policy 300-06, and other applicable law and regulations to meet and confer in good faith on the subject of this Agreement.
2. The Parties agree to implement a temporary increase in the amount of 12 cents per mile to the City’s D-Mileage Reimbursement Rates (D1 through D6), effective May 1, 2022 until the MOU expires on June 30, 2023, without regard to any future fluctuation in gas prices during that period.
3. The Parties agree to amend Article 37, section B(2), as follows:
 2. In addition to the criteria referenced in subsections a. through d., an employee’s unusual and extraordinary driving patterns, resulting from the required usage of a personal vehicle related to City business, may also qualify the employee for consideration for “D” mileage reimbursement exclusive of the conditions outlined above but subject to the review and approval of the Human Resources Director.

a. “D” Mileage Reimbursement Rates Currently Stated in MOU.

Miles Driven	“D” Mileage Reimbursement Rates / Cents Per Mile	
0 – 250	Mileage Rate D1	0.72
251 – 417	Mileage Rate D2	0.69
418 – 625	Mileage Rate D3	0.66
626 – 833	Mileage Rate D4	0.63
834 – 1042	Mileage Rate D5	0.60
Over 1042	Mileage Rate D6	0.58

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- b. The following mileage reimbursement rates will apply to miles driven beginning May 1, 2022 through June 30, 2023 only:

Miles Driven	"D" Mileage Reimbursement Rates / Cents Per Mile	
0 - 250	Mileage Rate D1	0.84
251 - 417	Mileage Rate D2	0.81
418 - 625	Mileage Rate D3	0.78
626 - 833	Mileage Rate D4	0.75
834 - 1042	Mileage Rate D5	0.72
Over 1042	Mileage Rate D6	0.70

4. Unless expressly covered in this Agreement, all wages, hours and other terms and conditions of employment presently enjoyed by Local 127-represented employees, whether stated in an MOU, Personnel Regulation, Administrative Regulation or in any other enforceable document, remain in full force and effect.
5. This Agreement is not binding on the Parties until it is approved by a two-thirds vote of the City Council, in accordance with San Diego Charter section 11.2.


This Agreement is executed by the following authorized representatives of each party:

For Local 127

By: 

Tim Douglass
Local 127 Acting President

Date: 5/4/22

By: 

Andres Alva Cardenas
Local 127 Business Representative

Date: 5/4/22

For the City of San Diego

By: 

Timothy Davis
Lead Negotiator

Date: 05/24/22

By: 

Erik Hanson
Supervising Human Resources Officer

Date: 05/21/22

By: 

Jonhabelle Domingo
Senior Human Resources Officer

Date: 5/24/2022

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Approved as to form this 27th day of May, 2022.

MARA W. ELLIOTT, City Attorney

By: 
Miguel Merrell
Deputy City Attorney