

**AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND
THE SAN DIEGO POLICE OFFICERS ASSOCIATION
RELATED TO THE PROMOTIONAL PROCESS FOR
CERTAIN CLASSIFICATIONS REPRESENTED BY SDPOA**

Pursuant to the provisions of the Meyers-Millias-Brown Act (MMBA) and Council Policy 300-06, this Agreement is entered into between the City of San Diego (City) and the San Diego Police Officers Association (SDPOA) related to the promotional process for certain classifications represented by SDPOA. The City and SDPOA are individually referred to herein as the "Party" and collectively as the "Parties."

This Agreement relates to procedures for the promotional process for the Civil Service classifications of Police Lieutenant, Police Sergeant, and Police Detective, which are represented by the SDPOA. Due to the unique and unforeseen circumstances caused by the COVID-19 declared public health emergency, the use of outside assessors in the promotional process for calendar year 2020 needs to be adjusted.

The Parties agree to the following:

- A. The City and the SDPOA have met and conferred in good faith in accordance with the MMBA concerning the terms and conditions of this Agreement and its implementation.
- B. This Agreement is meant to temporarily supersede section 8 of the 2015 Side Letter (Attachment 1) regarding the use of outside assessors for the promotional process, which states, "The Police Department will utilize assessors from outside the County of San Diego for interview assessment. Former City employees will not be used for these purposes." Specifically, the Parties agree that for the promotional process in calendar year 2020 only to allow two or three-person interview panels that will be comprised of one panelist from the San Diego Police Department and the remaining panelists from local enforcement agencies and/or regional/national law enforcement agencies.
- C. The Parties agree that the number of rating panelists within each particular rank will not change during the assessment.
- D. The Parties further agree this applies only to the classifications of Police Lieutenant, Police Sergeant, and Police Detective that are represented by SDPOA.
- E. This Agreement is consistent with section 3.4.5 of the 2004 Settlement Agreement (Attachment 2) on promotional practices of the San Diego Police Department, which states in pertinent part, "if the City is unable to convene outside panelists, the City shall meet with SDPOA before making the decision to use internal panelists. If this occurs, the City will solicit input from the SDPOA prior to selecting panelists, submit a list of the proposed panelists to the SDPOA, and evaluate and respond in writing to any written objection to a proposed panel member. Final panel selection decisions will remain with the City."
- F. This temporary change does not change any other provisions of the 2015 Side Letter (Attachment 1), 2004 Settlement Agreement (Attachment 2), or the MOU.
- G. This Agreement will remain in effect until December 31, 2020, unless it is modified through FY2022 contract negotiations in accordance with the MMBA and Council Policy 300-06.

ATTACHMENTS:

AGREEMENT BETWEEN THE CITY AND SDPOA RELATED TO THE PROMOTIONAL PROCESS FOR CERTAIN CLASSIFICATIONS REPRESENTED BY SDPOA

September 10, 2020

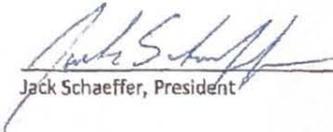
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1. 2015 Side Letter Agreement
2. 2004 Settlement Agreement

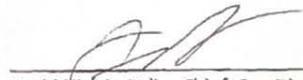
This Agreement is executed by the following authorized representatives of each Party:

San Diego Police Officers Association

City of San Diego



Jack Schaeffer, President



David Nisleit, Police Chief, San Diego Police Department

9/15/2020
Date

9/15/2020
Date



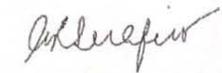
Doug Edwards, Personnel Director, Personnel Department

9/15/2020
Date



Abby Jarl-Veltz, Assistant Director, Human Resources Department

09/15/20
Date



Abegalle Serafico, Senior Human Resources Officer, Human Resources Department

09/15/20
Date

Approved as to form this 16th day of September, 20 20.

MARA W. ELLIOTT, City Attorney

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By: 
Miguel Merrell
Deputy City Attorney