



San Diego Municipal Employees Association

Quarterly Newsletter
April - June 2010

viewpoint



MEA member Andy Quinn takes a moment from his busy day to talk with two kids about Balboa Park

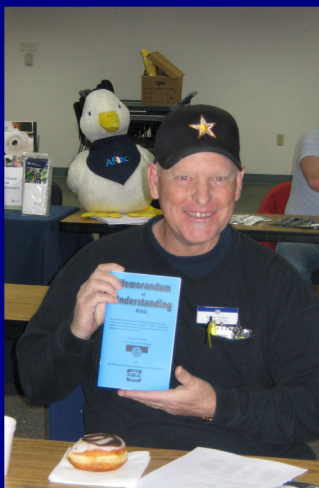


on the cover

Andy Quinn has been with the City since 1995.

He joined MEA in 2001.

Currently Andy is the Center Director at the Balboa Park Activity Center.



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President's Message

"Protecting Taxpayers"
We hear certain politicians talk about "protecting taxpayers" all the time. These words have been

used a lot in recent discussions between City management and employees. There is one description of "protecting the taxpayer" that seems to get the most attention. That definition, which I believe is a very narrow view, is that it's all about the money—pay as little as possible no matter the consequences. According to some politicians with a very specific agenda, that is what is in the best interest of the public.

To me, this doesn't always reflect the best interests of taxpayers, nor is it necessarily in the public interest. Often, just making decisions based upon the bottom line is not the best choice in the long term. Other cities have learned the hard way that this narrow view is often counterproductive to both the public interest and the bottom line.

In the City Parks Department in the South Bronx, two different private firms (the two lowest bidders) had to be terminated for failing to meet minimum cleanliness standards. Instead of saving the projected \$100,000 annually, City officials were tasked with inspecting all 45 parks covered under the

contract (half of which were deemed dirty and in dangerous condition), as well as reconciling the overpayment of one of the two companies. In Warwick, Rhode Island, sanitation and recycling services had been performed by a private company from 1992-1997. When the contract came up for renewal, the city's public works department submitted a bid alongside five private firms. The city handily won the five year contract with a bid that was more than \$1 million lower than the closest private company bid.

This is not to say that all privatization efforts are going to result in excessive cost overruns or as dismally as the South Bronx example. Rather, it should serve as a reminder that various factors need to be taken into consideration when evaluating what is in the best interest of the community, and the taxpayers who expect a certain level of service.

No one likes paying bills, including paying for services like water, sewer or the many other essential services provided by City employees. However, when you pay those bills, you do so with an assurance that the City employees who deliver those services are the best at what they do. Yes, the bottom line is important, and City employees know that better than anyone. But as City employees, we know that our job is to deliver the highest quality product to the citizens of San Diego. That's what we do, and we do it better than anyone else, every single day.



We Want Your Feedback

The Viewpoint is your magazine and we welcome your ideas and suggestions. Please don't hesitate to contact Lora Folsom at (619) 264-6632 if you would like to submit a letter, article, photograph or upcoming event notice. Submissions must be received two weeks before the publication month (e.g. March 15 for the April issue).

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A number of you responded last month when we sent out an e-mail soliciting questions to be addressed in this addition of *The Viewpoint*.

If those who responded are indicative of the rest of MEA's represented employees, then it is clear that one of the most significant topics on your mind is the future of the retiree healthcare benefit. About 80% of the questions submitted were along the lines of "Is my retiree health benefit vested?" and "What are the chances that retirees will lose their medical benefits in the next round of cuts?"

Like just about every other issue related to your compensation and benefits these days, the answers to those questions are neither straightforward nor clear at the moment. But beginning on page 5, MEA labor counsel Ann Smith walks you through the history of the retiree health benefit, its legal and contractual underpinnings and sheds some light on what MEA is doing to try to bring some certainty to the issue. Ann's article is an incredibly important body of information for you to have because as a union we will undoubtedly be faced with important decisions on retiree health in the next several months.

MEA is currently engaged in a "Joint Study Committee" on retiree health with the City and other City unions as outlined in Article 22 of MEA's current contract with the City. After the Joint Study is completed (no later than this July), MEA will re-open negotiations with the City on retiree health. These negotiations will help determine the future of the benefit.

Perhaps not surprisingly, the City and MEA have two fundamentally different approaches to "fixing" the fact that for three decades the City has failed to properly fund its contractual promises with respect to retiree health. In a nutshell, the City clearly wants to relieve itself of its liabilities by going back on its promises, while MEA wants to ensure that the City keeps its promises and funds the benefit. It remains to be seen whether the

negotiations will end in agreement or in litigation, but those seem to be the two most likely outcomes.

Ann Smith and your elected negotiating team continue to work tirelessly to provide you with the best options and the most accurate information in order to make an informed decision. Stay tuned in the coming months for more information on this critically important issue.

City Council Elections Coming in June

Residents of San Diego City Council Districts 2, 4, 6 and 8 will be going to the polls on June 8. Incumbents Kevin Faulconer and Tony Young are running for re-election in Districts 2 and 4, and Districts 6 and 8 are "open seats" because Donna Frye (District 6) is termed out of office, and Ben Hueso (District 8) is giving up his seat to run for the California State Assembly.

MEA's Political Action Committee, chaired by First Vice President Bob Cronk, has met numerous times in the past few months to review questionnaires, interview candidates and to make endorsement recommendations to MEA's Board of Directors. On March 10, the Board voted to approve the PAC's recommendations by endorsing Howard Wayne for District 6 and David Alvarez for District 8. The Board also voted to endorse incumbents Kevin Faulconer in District 2 and Tony Young in District 4.

This election cycle is extremely important for MEA and all City employees given the anti-public employee sentiment that seems to pervade the rhetoric of too many in our City and, for that matter, our State and nation as well. We must help elect candidates who understand the facts and who will be thoughtful, truthful, and who will follow the law instead of the politics of the day when it comes to issues that affect City workers.

Our efforts will be focused on helping to elect Howard Wayne and David Alvarez in Districts 6 and 8, since the incumbents in Districts 2 and 4 will likely be re-elected by wide margins. Howard is a former State Assemblymember with a solid record of accomplishment, and he would help to significantly elevate the dialogue in San Diego politics. David is young, very bright, and a hard worker, whose perspective and energy would be a welcome addition to the City Council.

Please keep your eyes open for invitations from MEA to participate in precinct walks and phone banks for the endorsed candidates. If you happen to live in Districts 6 or 8, you will likely receive a call from us to help with a yard sign at your home and to talk to your friends and neighbors about the importance of supporting Howard and David. When you volunteer to help

those candidates or interact with them in your community, please be sure to remind them that you are an MEA member, and are there to lend your support! If you would like to get started volunteering right away, please contact Cathleen Higgins at MEA today.

Something else on the upcoming June citywide ballot will be an initiative aimed at making San Diego's "strong mayor" form of government permanent. One of the other questions we received asked "What is MEA's position on the ballot initiative for strong mayor?" At this time, the PAC has not recommended that MEA take a formal position. Most of the City's other unions are also staying neutral at the moment, with the exception of the Police Officers' Association which took a position in opposition to the measure.

MEA Communications

Finally, one of the questions we received suggested that *The Viewpoint* looked a little too "expensive" and asked "How much is this new magazine costing us?" The answer is that in addition to MEA staff time and effort, each quarterly edition of *The Viewpoint* costs about \$4,500 in printing and postage costs. Put another way, each issue costs every MEA member, fee payer, and retiree member about \$1 four times a year.

Those costs are consistent with what the Board of Directors has approved in MEA's annual budget for publications and postage. In addition, you will begin to see in this issue—and in more abundance in future issues—paid advertisements to help offset the costs of the publication. The goal is to have *The Viewpoint* substantially paid for by advertisers by the end of this year.

Independent of the advertising offset, we believe that the time and resources put into producing *The Viewpoint* represents money well spent. For the last several months, we have worked hard to improve the quantity and quality of communications with the people we represent. Together with the new MEA website (check it out at www.sdmea.org!), frequent e-mail blasts of news and announcements, and increased workplace visits, *The Viewpoint* is an important part of fulfilling our mission to keep you informed on issues that affect you the most.

Please keep your questions coming and don't hesitate to contact me or *Viewpoint* editor Lora Folsom with questions, comments, constructive criticism or anything else that is on your mind!

Retiree Health Benefits For Most MEA-Represented Active Employees Are Under Attack

by MEA's Labor Counsel Ann M. Smith

Your Current Eligibility For A City-Paid Retiree Health Benefit Depends On Your Date Of Hire

- If you were hired on or after July 25, 2009, you are covered by a new pension plan which includes a defined contribution Retiree Medical Trust to which you contribute .25% of your salary and the City makes a matching contribution in the same amount.
- If you were hired on or after February 17, 2007, and before July 25, 2009, you still have the 2.5% at age 55 pension formula (based on highest one year of final compensation) but you have no City-paid retiree health benefit and you do not participate in any defined contribution Retiree Medical Trust.
- If you were hired between June 30, 2005, and February 17, 2007, there is a pending class action lawsuit which will determine whether you have the same retiree health benefit as those hired before July 1, 2005, or no benefit at all. The City's position in this lawsuit is that you are not entitled to any retiree health benefit.
- If you were hired before July 1, 2005, you currently have a City-paid retiree health benefit but it is under attack. The current benefit is:

For a retiree only, not his or her dependents.

For the plan year 2008-2009 (coverage effective August 1, 2009), if you are not Medicare-eligible, the City pays up to a maximum annual benefit of \$8,883.24 (or \$740.27 per month) for the health insurance plan you select from those the City sponsors, or the City will reimburse you up this maximum amount if you procure your own private coverage or have coverage from another source. If you are eligible for Medicare, this annual amount is reduced to \$8,365.92 (or \$697.16 per month) and the City reimburses you for the cost of Medicare Part B.

* The following non-Medicare premiums are in effect for retirees effective August 1, 2009: Health Net HMO: \$635.69/month; Health Net PPO: \$1,067.40/month; Kaiser HMO: \$657.11/month. The following Medicare premiums are in effect for retirees effective August 1, 2009:

Health Net Seniority Plus: \$264.40/month;
Health Net Flex Med: \$592.15/month; Kaiser Senior Advantage: \$285.01/month.

Unless you are awarded a disability retirement, you must have 20 years of Creditable Service to be eligible for 100% of the maximum allowance; you are eligible for 50% of the maximum allowance with 10 years of Creditable Service; and with more than 10 but fewer than 20 years of Creditable Service, you are eligible for an additional 5% per year – for example, a 75% benefit with 15 years of Creditable Service.

Until July 1, 2009, this maximum allowance was subject to an adjustment, not to exceed 10% per plan year, based on the projected increase in National Health Expenditures by the Centers for Medicare and Medicaid Services, Office of the Actuary. For the two-year period of MEA's MOU, this inflation-based escalator has been "suspended," such that MEA-represented active employees who retire between June 30, 2009, and July 1, 2011, will receive the 2009 maximum annual benefit of \$8,883.24 or \$8,365.92 (or the Member's actual premium, whichever is less).

Whether The Attack On Your Retiree Health Benefit Will End In An Agreement Or In Litigation Depends On The Outcome Of The Process Described In Article 22 Of MEA's Current MOU

• Article 22 of MEA's current MOU explains what MEA and the City are doing to end the attack on your City-paid retiree health benefits (1) by participating in a Joint Study Committee with a written report due to be issued on or near May 1, 2010, and (2) by reopening negotiations on Retiree Health Benefits no later than July 1, 2010. [See Article 22, subsection 3B, pages 34-37.]

• What happens to your City-paid retiree health benefit after June 30, 2011, will only be known when the meet and confer process concludes in the spring of 2011.

The City and MEA will either reach an

agreement on a new MOU, including an agreement on your retiree health benefits or be at an "impasse" and unable to reach agreement by April 1, 2011.

If the parties are at impasse, an "impasse hearing" will take place before the City Council and, with the requisite number of votes, the Mayor's "last, best and final offer" ("LBFO") – including any terms related to retiree health benefits – may be unilaterally imposed on MEA-represented employees over MEA's objections.

* If the City has otherwise engaged in good faith bargaining before any impasse occurs, the imposition of such a LBFO will be lawful under the MMBA.

* If MEA believes that the City violated its obligations to bargain in good faith before implementing a LBFO, MEA has the option to file an unfair labor practice charge with the Public Employment Relations Board (PERB).

• If MEA believes that any LBFO imposed on MEA-represented employees related to City-paid retiree health benefits constitutes an unconstitutional impairment of individually vested pension benefits, MEA's Board of Directors will decide whether to authorize litigation challenging the City's LBFO in an effort to undo it and restore the level of retiree health benefits in effect before July 1, 2009 (when the temporary suspension of the inflation escalator took effect), and to seek damages for any retiring employees who were harmed by the unconstitutional impairment in the interim.

Before 1997, There Were Differences In The Retiree Health Benefit Available To Employees Hired Before And After 9/3/82

Employees Hired Before 9/3/82

• In December 1981, the City asked employees to support a vote out of the

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Retiree Health Benefits

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Social Security System for “cost avoidance” reasons because the City predicted rising payroll costs associated with participation in Social Security. Among other promises, the City assured worried employees that, if they voted out of Social Security, they would have lifetime City-paid retiree hospital and medical insurance when they retired as a form of supplemental pension benefit under the City Employees’ Retirement System (“CERS”). To implement this promise, Section 24.0907.2 entitled “City-Sponsored Group Health Insurance For Eligible Retirees,” was added to the San Diego Municipal Code (“SDMC”), Chapter II, Article 4, “City Employees’ Retirement System.”

- Both decisions – to ask City employees to support a withdrawal from Social Security and to promise lifetime City-paid retiree medical benefits in exchange – were made under the leadership of former Mayor Pete Wilson.

Funding: When establishing the “City-Sponsored Group Health Insurance For Eligible Retirees” as a retirement system benefit in 1982, the City also amended another provision of the City’s pension plan related to “Surplus Undistributed Earnings,” to provide that the annual cost of the retiree premiums “shall be paid by the City” from the portion of the Surplus Undistributed Earnings which would otherwise have been credited to the Employer Contribution Reserve to reduce the unfunded liability of the pension plan.

- This City-paid retiree health benefit was initially available to (1) all employees eligible for general membership in CERS; (2) legislative officers; and (3) those CERS safety members who had been covered by Social Security as of December 31, 1981.

Effective July 1, 1985, police officers and firefighters who were on the City’s active payroll on or after June 30, 1985, were added to the list of eligible employees.

Effective July 1, 1986, a settlement in the class action Andrews case expanded the list of retirees eligible for a lifetime City-paid retiree health benefit to include all General Member retirees who retired between October 6, 1980, and January 8, 1982; and all Safety Member retirees who retired between October 6, 1980, and June 30, 1985.

Employees Hired On And After 9/3/82

- Those employees who were hired on or after September 3, 1982, however, took their jobs with the City under a new and inferior “tier II” pension plan called “the 1981 plan.” Under the 1981 plan – in contrast to the original CERS Plan – there was no City-paid retiree health benefit as a supplemental benefit.

- In 1989, MEA succeeded in closing the inferior 1981 pension plan and bringing all MEA-represented employees under the original CERS plan but with an express proviso in the pension plan that they were still not eligible for the City-paid retiree health benefit which had been established during Mayor Wilson’s tenure for those hired before 9/3/82 (and extended to police officers and firefighters effective July 1, 1985).

- In 1992, the first City-paid retiree health benefit was established under the Retirement System for employees hired on or after 9/3/82 – though the benefit was inferior to the existing City-paid retiree health benefit for other employees.

This new City-paid retiree health benefit involved a “sliding scale” vesting schedule of 5% per year, with 20 years of service needed for the maximum City-paid benefit of \$2,000 per year regardless of the actual annual cost of a retiree’s health insurance premium.

SDCERS conducted a vote under Charter section 143.1 before the City’s Ordinance amending the retirement system became effective to add this new City-paid retiree health benefit for employees hired on or after 9/3/82.

** Funding: From 1982 through 1992, the City paid the promised retiree health benefits from Surplus Undistributed Earnings in the Retirement System; however, after 1992, the City paid the cost of retiree health benefits directly from its operating funds by using the budget savings generated by the conversion of the SDCERS funding method from “Entry Age Normal” to “Projected Unit Credit,” which had the effect of reducing the City’s annual pension contribution.*

In 1997, A Single New Category Of “Health Eligible Retirees” Was Established Under The Retirement System With A Uniform Benefit Based On HMO Rates And Restrictions On Plan Design Changes

- On the recommendation of SDCERS’ fiduciary and tax counsel, the City put a proposed amendment to City Charter section 141 on the ballot in November 1996 as Proposition D to get voter approval for the City Council to provide retiree health benefits through the Retirement System rather than to pay these benefits to retired City employees directly from the City’s operating funds. The measure passed and the Charter was amended accordingly.

Apparently, the City’s use of SDCERS trust fund assets to pay for retiree health benefits from 1982 through 1992 had been done without Charter authorization.

- With the passage of Proposition D, the City established a new category of “Health Eligible Retirees” with a uniform “Post Retirement Health Benefit.” All active employees, regardless of their date of hire, and all retirees who had been on the City’s active payroll on or after October 5, 1980, and who retired on or after October 6, 1980, were covered by the same uniform City-paid lifetime retiree health benefit except as noted below.

For those Health Eligible Retirees who enrolled in any health insurance plan, the City agreed to pay or to reimburse the applicable Medicare-eligible or non-Medicare eligible retiree-only premium up to, but no more than, the cost of the retiree-only premium for the highest cost HMO plan which was also a City-sponsored health insurance plan made available to Health Eligible Retirees.

Exception: For those Health Eligible Retirees who on January 1, 1997, were enrolled in and remained continuously enrolled in any PPO plan, the City agreed to pay or to reimburse the applicable Medicare-eligible or non-Medicare eligible retiree-only premium up to, but no more than, the cost of the retiree-only premium for

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Retiree Health Benefits

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the highest cost PPO plan which was also a City-sponsored health insurance plan made available to Health Eligible Retirees.

The City established the single new category of "Health Eligible Retiree" and the uniform HMO-based retiree health benefit after meeting and conferring and reaching agreement with its four labor organizations.

Certain bargained-for guarantees accompanied the City's establishment of the single category of "Health Eligible Retiree" and the uniform "Post Retirement Health Benefit" to assure that the City could not lawfully diminish the value of the HMO-based Post Retirement Health Benefit. By a unanimous vote of the Mayor and City Council, Ordinance O-18392 was adopted on March 31, 1997, with the following terms:

"WHEREAS, it is the intent of the agreement reached between the four labor organizations and the City Management Team that the level of health benefits to be provided by the Retirement System not be diminished by any change in HMO health care providers by the City, or any new or amended contract with an HMO health care provider or by conversion to a blended premium for active employees and retirees without mutual agreement with the exclusive bargaining representatives; and,

WHEREAS, the four labor organizations and the City Management Team have agreed that any change will not be approved by the City Council until after the proposed changes has been reviewed by a qualified independent consultant, who is mutually selected and jointly compensated by the City and the recognized labor organizations, who concludes that the proposed changes will not affect the benefit in any manner which triggers the voting rights of active employees (under City Charter section 143.1), unless this process is waived by mutual consent; . . ."

Funding: Having procured voter approval for the Council to arrange for payment of Retiree Health Benefits from the pension fund, the City expressly represented by a unanimous vote of Mayor and City Council on March 31, 1997:

that it "wishes to ensure that retirees are provided with appropriate health benefits;"

that "the best way to provide these benefits is through the Retirement System using the undistributed earnings of the System," by means of a 401(h) trust and a "bifurcated rate program" permitted by the IRS; and,

that "the City and the (SDCERS) Board have agreed that the bifurcated rate arrangement is to be used for a 'pay as you go' health program and that this program will not be fully actuarially funded."

In 2002, After Disputes Had Erupted Over HMO Plan Design Changes, The City Agreed to Establish A Fixed PPO-Based Benefit With An Escalator And Cap

• Having agreed in 1997 that the HMO-based retiree health benefit for all Health Eligible Retirees would not be diminished in value by unilateral changes in plan design, the City began implementing plan design changes in the City-sponsored HMO plans being offered to retirees. Since the dollar value of the Retiree Health Benefit for most retirees was tied to the highest cost City-sponsored HMO plan, the City was motivated to keep the cost down by increasing deductibles and co-pays and making other plan design changes which reduced the economic value of the benefit when compared with the quality of the HMO coverage available for plan year 1997. The City's labor organizations repeatedly challenged these changes.

• In 2002, the City and the same coalition of labor organizations which had negotiated the establishment of a uniform HMO-based Retiree Health Benefit in 1997, agreed on a means to eliminate these recurring disputes over HMO plan design changes.

• This agreement replaced the uniform HMO-based Retiree Health Benefit with a fixed dollar benefit based on the cost of the City-sponsored PPO plan being offered to retirees for the 2003 plan year, with an automatic annual increase in this amount, not to exceed 10% per year, based on an independent, objective source which is the Centers for Medicare and Medicaid Services, Office of the Actuary, which tracks projected increases in National Health Expenditures. By converting the Retiree Health Benefit to a fixed dollar

value with an independent basis for making annual adjustments, disputes over plan design changes ended.

• For the 2003 plan year, the monthly PPO-based rates were \$489.16 for Non-Medicare eligible retirees, and \$460.67 for Medicare eligible retirees.

• By application of the annual escalator with the 10% cap, these monthly amounts had grown, respectively, to \$740.27 and \$697.16 per month for plan year 2009.

The Obligation To Pay For Retiree Health Benefits Has Always Been The City's From 1982 To The Present

• From 1982, when a City-paid lifetime retiree health benefit was first established for City employees under Mayor Wilson's leadership, through the present, the obligation to pay for the Retiree Health Benefit as a supplemental pension benefit has always been the City's and the City's alone – whether the benefit was paid from Surplus Undistributed Earnings in the pension system or directly from the City's operating funds.

• Every ordinance amending the retirement system related to the establishment of retiree health benefits since 1982 has confirmed that the City is the ultimate obligor on this debt.

• When the balance in the SDCERS 401(h) health care trust account was exhausted in mid-January 2005, the City decided to support the recommendation of the Pension Reform Committee that retiree health care costs no longer be funded in a manner that reduces assets of the retirement fund.

Consistent with its decades-old obligation to pay for this benefit "from any source of funds available to The City of San Diego," the City has paid this obligation from General Fund and Non-General Fund revenues since the middle of the 2005 fiscal year and continuing to the present.

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MEA Is Working For You...



Matthew Sanders shares his perspective with his fellow stewards.



MEA Stewards prepare for a mock hearing on Employee Performance Reports.



MEA's Negotiating Team meets with City officials, including Jan Goldsmith, to review the City's new proposed language for Managed Competition.



General Manager Mike Zucchet provides information and insight during the orientation for MEA's new Board members.



Senior Labor Relations Representative Kelly Cruz met with Parking Enforcement Officers in the Police Department to discuss changes to their uniforms.



Senior Labor Relations Representative Kelly Cruz met with MEA members and management from Fleet Services to discuss potential changes in work hours at the Miramar Repair Facility to accommodate the new 4/10 schedule in Collection Services Division.

Thank You Honorable Roger T. Benitez

By Daniel Coffey

Honorable Roger T. Benitez, United States District Judge, exercised his proper powers as an objective, Article Three federal judge on April 6, 2010. In doing so, he dismissed all five innocent defendants originally named in the "honest services" pension case brought on Jan. 6, 2006, by controversial former U.S. Attorney, Carol Lam. Those defendants are: Ronald Saathoff, Cathy Lexin, Teresa Webster, Lawrence Grissom and Loraine Chapin. In a well-reasoned and clearly considered 28-page opinion addressing the superseding federal indictment against the defendants, Judge Benitez marched through the legal brambles erected by participants in a witch hunt. He cut the brambles asunder one by one. He brought common sense to what has seemed at times to be several chapters from "Alice in Wonderland."

This bizarre federal prosecution was advocated and cheered on by former City Attorney Michael Aguirre, along with his supporters, Diann Shipione and Patrick Shea, but it turned out to be political fluff masquerading in an artfully crafted, contrived and inscrutably vague indictment.

Judge Benitez sagely observes at the end of his opinion dismissing the defendants: "Fortunately, due process forbids turning citizens into criminals through the application of novel, untested applications of a criminal statute."

Bravo!

When stripped to its core, "novel, untested applications of a criminal statute" is precisely what both the District Attorney and the United States Attorney offered the public in support of

San Diego's version of the Salem Witch Trials.

The public owes Judge Benitez great thanks and applause for his courage and objectivity. He did the right thing for the right reasons and achieved substantial justice in the process.

No one, unfortunately, can put right what has been done to the defendants. Judges, as powerful as they may be, cannot place their finger upon the clock face and push back the hands of time to a happier posture, before all of the loss, destruction, fear, tears, and isolation caused by such dubious prosecutions. Most astonishing, and history may well reveal more in the future, the isolated, cloistered and intertwined relationship between Lam, Shea, Shipione and Aguirre raises the serious question: What ultimately led to such an absence of objectivity and internal checks and balances? Collectively, it appears that within the tight knit U.S. Attorney community, there was no one willing to say: No.

Apparently no one in the U.S. Attorney's office prior to destroying five people's lives had sufficient power or presence of mind to say the following: "In this case, the defendants have been charged under a novel, untested, application of the vague mail and wire fraud honest services statutes for carrying out pension fund business. A reasonable person of ordinary intelligence would not have known that what the defendants were doing violated the federal mail and wire fraud statutes. Under our Constitution, people are not to be punished for 'violating an unknowable something.'" How could this bedrock concept utterly elude the entire U.S. Attorney's office?

It seems the whole office of the U.S.

Attorney could find no way to apply that simple, well-grounded principle. Indeed, today they must be left scratching their heads and asking what to do in response. Why? How can that be? What is going on inside that legal fortress? Maybe they need to get out more often and talk to regular people?

Fortunately, Judge Benitez knew those exact words and understood what to do with them in his opinion dismissing the defendants.

L.P. Beria, head of Stalin's dreaded secret police, counseled Stalin on how to eliminate political enemies: "Show me the man and I'll find you the crime." Have we come to a stage in the legal development of our country where our justice process requires no actual crime, but mere press-driven public hysteria or an unpopular cause, in order to indict? Astonishingly vague laws enacted by Congress presently allow unrestrained prosecutorial discretion, a matter which should evoke great concern in each of us.

A grateful nation must thank judges like U.S. District Court Judge Carney, 9th Circuit Judge Mary Schroeder, U.S. District Court Judge Emmet Sullivan in Alaska, and now U.S. District Judge Roger T. Benitez for protecting us all from the passions and proclivities of an almost invisible, immensely powerful and virtually unaccountable segment of our society: our United States Attorneys and Department of Justice.

Thank you Honorable Roger T. Benitez.

Dan Coffey's opinion column, "On San Diego," can be read every Friday in the San Diego Daily Transcript, and online at http://www.sddt.com/Commentary/column.cfm?Commentary_ID=176

Written Reprimand Removed from MEA Employee's File

MEA Senior Labor Relations Representative Kelly Cruz represented a 22 year City employee who was facing serious discipline due to an alleged violation of Administrative Regulation 90.62 – Email and Internet Usage. After the supposed violation took place, the member's Deputy Director and Department Director orally counseled the employee on his lack of judgment pertaining to the situation.

Following the counseling, the employee was given Advance Notice of Rights to Representation for a Fact Finding. Kelly attended the meeting with the member and two program managers from the department. Several weeks after the Fact Finding investigation was concluded, the employee was presented with a written reprimand for the alleged Administrative Regulation violation.

However, Kelly demonstrated to the City's Labor Relations Office that the oral counseling, followed by a written reprimand violated Article 10, Section L of MEA's MOU which states, "The City agrees that if an employee is disciplined for a specific act, that said discipline shall be final for the particular act once the appeal process is complete."

Clearly the written reprimand violated the duplication of discipline detailed in MEA's MOU Article 10. Due to Kelly's insight and extensive knowledge of MEA's MOU, the written reprimand was permanently removed from the member's file.

MEA Staff Report

REDUCTION IN FORCE:

On February 4, 2010, the Personnel Department issued Reduction in Force memos to departments throughout the City. At that time, there were 168 employees who were impacted either as a result of their position being eliminated, or a result of being bumped by an employee who was being cut but had bumping rights.

MEA reps spent the remaining weeks of February meeting with employees and their assigned Personnel Analysts and performed all needed follow up work. As you know, most of the impacted employees were from the Police Department (a total of 105 P.D. employees were impacted).

Names were added and removed during the fluid process as situations and circumstances changed. Nineteen employees who were identified as being impacted during the process were later listed by Personnel as "not impacted."

The final tabulation provided to MEA by the Personnel Department is as follows:

152 employees were impacted
34 employees remained in their classification
2 employees changed classification without a pay cut (both classes were at same pay rate)
2 employees remained in their classification but status changed from permanent to hourly
84 employees were demoted
7 employees retired
13 employees chose layoff
10 employees had layoff imposed

Layoffs were effective on February 26, 2010

Family-School Partnership Act Approval

MEA Labor Relations Representative Brian Balla assisted a member who was denied a request to temporarily flex her schedule in order to participate in her child's after school activity.

According to California Labor Code, Section 230.8, "Family-School Partnership Act," an employer cannot fire or discriminate against an employee for participating in such activities, provided the employee, prior to taking the time off, gives reasonable notice to the employer.

Brian informed the member of her rights, provided her a copy of the California Family-School Partnership Act and contacted her supervisor to discuss the temporary flexible schedule request.

Brian talked to the MEA employee's supervisor to provide additional information on employees' rights enumerated in the Family-School Partnership Act. A few days later, both the employee and Brian were informed that the supervisor had approved the temporary flex schedule.

Update MEA

If your work location has moved as a result of the RIF (or promotion or any other reason), please contact MEA with your new work phone number, e-mail address, and mail station.

We want to make sure we have your most up-to-date contact information in order to best serve you.

Know Your Rights:

Recently, a member was told that they could not exercise their right to utilize Tuition Reimbursement due to budget shortfalls, even though the employee had followed all of the proper procedures.

Administrative Regulation 70.30, Section 2.1 states the following:

"Eligible employees will be reimbursed for 100% of tuition and mandatory fees, and for textbooks and supplies under certain conditions, up to a limit of \$700.00 per fiscal year. Reimbursement will be made for professional and technical courses offered by accredited colleges, universities, business, trade or correspondence schools, as part of an educational plan which has been approved by the Appointing Authority."

Tuition reimbursement is a negotiated benefit that all MEA-represented employees are entitled to, regardless of the City's current budget woes. This benefit was created in order to encourage and financially assist employees with their scholastic endeavors in order to improve their job knowledge, skills and abilities. So if you are denied tuition reimbursement, let us know. We are here to protect and enforce your rights!

Congratulations Nancy!

March 12, 2010 marked Supervising Labor Relations Representative Nancy Roberts' 20 year anniversary with MEA. Thank you Nancy for your years of dedication and service to the members of MEA!

Transponder (Chip) Auto Keys Mobile Service

We produce/program spare automotive transponder keys for most domestic and foreign vehicles at a reasonable price.

Think ahead...save yourself time, money and frustration.
Have a spare made today!

For a price quote contact
Gerry Buckhanon at 619.742.7789

your MEA reps

Below are your department representatives. MEA Representatives can be reached at 619.264.6632 or 858.300.3888 or via their e-mail address listed below.



Nancy Roberts

nroberts@sdmea.org
Office of Homeland Security
Office of COO
Office of CFO
Office of IBA
Office of the Mayor
Office of Assistant COO
Human Resources
Ethics Commission
Community & Legislative Services
Business Office
Business Operations
Administration



Kelly Cruz

kcruz@sdmea.org
City Clerk
Fire Rescue
General Services
Park & Recreation
Personnel
Retirement
Storm Water



Gwen Phillips

gphillips@sdmea.org
City Planning & Community Investment
Environmental Services
Police
Public Utilities - MWWWD
Purchasing



Brian Balla

bballa@sdmea.org
City Auditor
City Comptroller
City Treasurer
Financial Management
Library
Public Utilities - Water
Stadium



Marin Mejia

mmejia@sdmea.org
City Attorney
Debt Management
Development Services
Engineering & Capital Projects
Real Estate Assets
Risk Management

Retiree Health Benefits

continued from page 7...

Retiree Health Benefits Are A Supplemental, Vested Pension Benefit Not An Employment Benefit

- Since 1982 when a City-paid lifetime retiree health benefit was established in exchange for employees' favorable vote out of the Social Security system, this benefit has always been a supplemental pension benefit under the retirement system.

- After 1982, as more employees became eligible for a Retiree Health Benefit, the essential character of this benefit remained the same in assuring an employee that he or she was earning the right to have City-paid health insurance upon retirement at the same time as he or she was earning a pension allowance. This supplemental pension benefit only becomes available when an employee achieves the status of a retiree receiving a pension allowance from SDCERS.

- Since 1982, any bargained-for improvements in this benefit have not been confined to MOUs with a set term and expiration date; instead, each improvement has been codified in Chapter II, Article 4, "City Employees Retirement System" of the San Diego Municipal Code along with all other vested pension benefits.

- Because the City agreed that the Retiree Health Benefit is a Retirement System Benefit and not an employment benefit, the City amended Article 4, "City Employees Retirement System" of the San Diego Municipal Code on January 17, 2007 (following passage of the Proposition B ballot measure) to add Division 19 entitled "Voter Approval of Retirement System Benefit Increases." Section 24.1902 defines an "increase" in Retirement System Benefits to include "a change in retiree health benefits."

- Because of the nature of the Retiree Health Benefit as a supplemental pension benefit under the retirement system, whenever the City Council has adopted an Ordinance amending the retirement system to affect the Retiree Health Benefit, SDCERS conducted a vote as required by City Charter section 143.1 to get the approval of plan participants before the amendment became law.

What's The Difference?

- The essential difference between an "employment benefit" and a "vested pension benefit" is that employment benefits remain in effect during the term of an MOU or similar labor agreement, expire when the MOU ends, and become subject to re-negotiation.

- Examples of "employment benefits" include wages and the flexible benefits plan dollar value. These are subject to re-negotiation whenever an MOU expires; there are no guarantees that, upon re-negotiation, wages or the flexible benefits plan dollar value will improve – or even that these "employment benefits" will remain the same.

- However, although MEA has succeeded in improving pension benefits over the years through the collective bargaining process, these benefits are not merely another term of an MOU subject to change when the MOU expires.

Once a pension benefit – including a supplemental pension benefit like the Retiree Health Benefit – is initially established or improved during your employment, it has a protected legal life which does not begin and end with each MOU because its legal character as a vested pension benefit becomes separately established.

Pension benefits become part of the City's statutory law by means of ordinances amending the retirement system which take effect if approved by plan participants under Charter section 143.1.

Once enacted, these benefits are individually vested and protected by the State and Federal Constitutions as a form of deferred compensation for an employee's services. The concept of "deferred compensation" essentially means that each payday the City gives an employee (1) a paycheck for the services rendered during that pay period, and (2) an "IOU" for the pension benefits being earned for those services but not yet payable until the eligibility requirements are satisfied and the employee retires. As a supplemental pension benefit, the Retiree Health Benefit is in this category.

Once "vested," these benefits cannot be bargained away or changed unilaterally by the City even when the MOU expires.

- *Before retirement*, "vested" pension benefits can lawfully be changed under limited circumstances. An employee's vested contractual pension rights may be modified prior to retirement for the purpose of keeping the pension system flexible to permit adjustments in accord with changing conditions and at the same time to maintain the integrity of the system.

Any modification must be reasonable based upon the facts of each case.

To be sustained as "reasonable" by California's courts, alterations in employees' pension rights must bear some material relation to the theory of the pension system and its successful operation, and changes in a pension plan which result in disadvantage to employees should be accompanied by comparable new advantages, whether in the form of additional benefits or greater funding security.

Charter section 143.1 also protects an employee's right to vote on proposed amendments to the retirement system which affect his or her benefits under the system – including the Retiree Health Benefit. The right to vote is itself a vested benefit.

- After retirement, pension benefits are absolutely vested and may not be changed or diminished. The Retiree Health Benefit for retirees may not lawfully be eliminated or detrimentally modified.

- In addition to the constitutional protections which "vested" pension benefits enjoy, employees who were on the City's payroll when the vote to withdraw from Social Security occurred in December 1981, have an enforceable promise against the City for lifetime City-paid retiree health benefits.

continued on page 13...

Retiree Health Benefits

continued from page 12...

The City Attorney Has Advised The City That The Retiree Health Benefit For Active Employees Is An Employment Benefit

- Without waiting for the Joint Study Committee to complete its work and issue a report as described in Article 22 of MEA's MOU – which will include a comprehensive history and legal analysis – the City Attorney unilaterally published his opinion in the matter on January 21, 2010.

- The City Attorney concedes that a court would find the Retiree Health Benefit **vested for retirees** on the terms in effect when they retired.

This concession is appropriate because the Retiree Health Benefit for retirees is absolutely vested as noted above.

- But, as to active employees, the City Attorney has concluded that the same Retiree Health benefit is an employment benefit which is not vested and which may be modified through the collective bargaining process.

Translation: The Mayor and City Council can impose a change that reduces or eliminates the Retiree Health Benefit if MEA and the City do not reach agreement during the collective bargaining process.

In attempting to distinguish retirees from active employees, the City Attorney makes an illogical comparison: retirees relied on "representations and promises made by the City," he says, but active employees allegedly did not.

- The City Attorney "reasons" that, because modifications to the Retiree Health Benefit have been achieved through the collective

bargaining process, this benefit is "more properly characterized as an employment benefit that may be modified through negotiations."

This argument is irrational because all pension benefit improvements for represented City employees have been achieved through the collective bargaining process and this fact does not transform them, once established in the City's statutory law, from "vested pension benefits" into "employment benefits."

- The City Attorney has also concluded that, in contrast to each other occasion over the decades, any change or reduction in the Retiree Health Benefit would not be subject to a vote of employees under Charter section 143.1 "because the benefit is not presently under the retirement system," since the City Council adopted an Ordinance in April 2008, deleting the 401(h) retiree health benefit trust from the pension plan, and providing that the City would pay for the benefit directly from any source available to it.

This argument is nonsensical because the Retiree Health Benefit has been codified as a retirement system benefit since 1982 and it remains codified in Division 12 of Article 4, "City Employees' Retirement System." It is – and has always been – a supplemental pension benefit for an eligible retiree under SDCERS.

Since 1982, the City has always borne the ultimate obligation to fund Retiree Health Benefits, and the City paid directly for the cost of Retiree Health Benefits – without using retirement system assets – for the period 1992 through 1997, and has done so continuously since January 2005.

When the City has changed the method of

funding the Retiree Health Benefits, employees have not voted under Charter section 143.1 because the funding mechanism has never changed the character of the benefit as a vested supplemental pension benefit.

In short, I believe that the City Attorney's opinion that the Retiree Health Benefit is an "employment benefit" rather than a vested supplemental pension benefit is wrong.

As will be more fully developed in the Joint Study Committee's Report when issued in early May, the City Attorney's legal analysis is unsupportable because it is built on a heavily flawed foundation. His review of the history of the Retiree Health Benefit is incomplete, omits critical facts, and/or misinterprets events due to a lack of personal knowledge or participation by any member of the City Attorney's Office producing the "opinion." His opinion quotes from legislative enactments or other documents on a selective and "misleading" basis.

Thus, the battle lines are taking shape.

What Do You Need To Do?

- Stay informed by paying attention to communications from MEA on this important issue.
- Participate when you are called upon by your elected leadership.
- Keep your Union strong so that you have an effective advocate in this fight.
- As always, continue to do your best work for the residents of San Diego despite declining resources and continued attacks on your promised benefits.

Happy Administrative Professional's Day!

April 21st, 2010

San Diego Fire Rescue Department

When an emergency takes place, the first to arrive on the scene tend to get the credit. Yet often the unsung heroes are the dispatchers who assist and support the callers, all while simultaneously sending the necessary

responsibilities including receiving incoming 9-1-1 calls, evaluating the need for fire and/or paramedic services, relaying information to the units responding and providing life-saving instructions until emergency personnel have arrived.

another in areas of weakness. In order to maintain a high level of teamwork, the department participates in extracurricular activities including the Over-the-Line tournament, annual chili cook-offs, the Guacamole Bowl and multiple opportunities to volunteer for the Burn Institute.



Dispatchers hard at work during a typical busy day.

emergency teams out. Time and again, the dispatchers are the crucial element in the life-saving process.

In the early years, calls to the San Diego Fire Department were actually answered by firefighters at downtown Fire Station #1. Over time, it became apparent that a call center was needed to address the growing number of

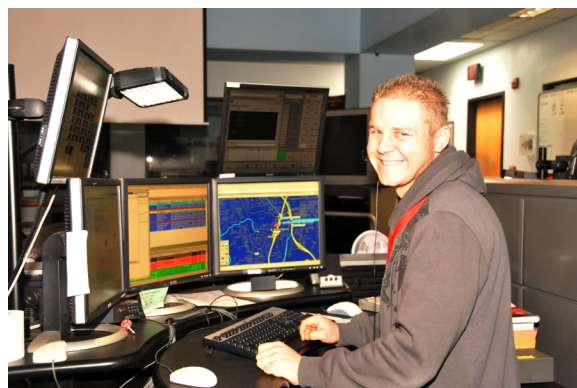
positions. New dispatchers must also adjust to working at a very fast pace and under constant pressure, all while multi-tasking to ensure that contact is maintained with the caller and that the correct information is accurately transmitted to the appropriate emergency unit. Yet the essential tools for a dispatcher are those you cannot teach—patience, compassion and a strong desire to help others in need.

Occasionally, a dispatcher is reunited with a caller who they helped. Recently, a dispatcher helped a woman who had called 9-1-1 after her husband had gone into cardiac arrest. The dispatcher was able to talk the wife through the life-

saving steps until the paramedics arrived on the scene. Fortunately, the husband survived and the couple came to the dispatch center to tell their story and to personally thank the dispatcher who had helped save the man's life.

The demands of the job require a cohesive group of colleagues who can appreciate each other's strengths and can assist one

We are fortunate to have such a caring and committed group of individuals who can be relied upon each day during emergencies and crises. Although emergency callers do not always get the opportunity to personally



Brent Peterson, Fire Dispatcher of one year.

express their gratitude to the voice on the other end of the 9-1-1 call, every saved life is an acknowledgement of the amazing job dispatchers do. MEA is proud to represent the amazing dispatchers in the Fire Rescue Department. Thank you for all you do!

Special thanks to Stephanie Galbicka for her assistance and department profile.



Dave Rivas, Fire Dispatcher of 15 years.

emergency calls received. In the mid 1970's, the Fire Communication Center (FCC) was created and operated by civilian dispatchers trained to field calls and send out fire crews throughout San Diego.

Currently, there are 32 dispatchers and an additional 50 employees who carry out other duties, all of whom help the 9-1-1 system function properly. Dispatchers have an array of vital



Angie Orozco-Smith, Fire Dispatch Training Supervisor of 25 years.

National Dispatchers' Week

MEA would like to thank all of its dispatchers in Police, Fire and Environmental Services who serve as the first and most critical link between the public and emergency services. Those that respond to an emergency rely on the dispatcher's concise and accurate information in order to provide appropriate and often life-saving services. Dispatchers perform their duties and tasks in a dedicated and diligent manner, all while enduring the stresses associated with the job and long, irregular hours. From all of us at MEA, thank you for all that you do!



new members

Thank you for making our Union strong by joining your City brothers and sisters in their commitment to diligently working on improving the quality of wages, hours and working conditions of those we represent. MEA is proud to have these new members join us:

Jorge Acevedo
 Ronald Agustin
 De Angelo Anderson
 Rex Cabanas
 Jing Debeliso
 Ramiro Gonzalez
 Benjamin Griffin
 Derrick Hill
 Brandon Howard Sr.
 Rowaida Jadan
 Joseph Maggio
 Cynthia McNary
 Bryan Olson
 Aracely Robles
 Leonard Salogna
 Anniessa Salumaa

members in need

The following MEA members have established catastrophic leave accounts and request your generosity in helping donate annual leave in their time of need. If you are able to help, please contact your Payroll Specialist for the proper paperwork. Every hour helps!

Linda Irvin has suffered from Ulcerative Colitis for 30 years. Right now she is at a very high risk of getting colon cancer. This past December, her Colitis expanded to her entire colon. She recently started an experimental drug regimen to control the pain and Colitis symptoms. In September 2009, her husband became disabled from a back injury which the doctors have been unsuccessful in treating. On top of all this, his disability benefits were exhausted in March 2010. Linda would greatly appreciate any donation of hours to help cover her leave time for the multitude of doctor's visits. Thank you so much for your consideration.

If you would like to donate to Linda's catastrophic leave account, please contact your payroll specialist.

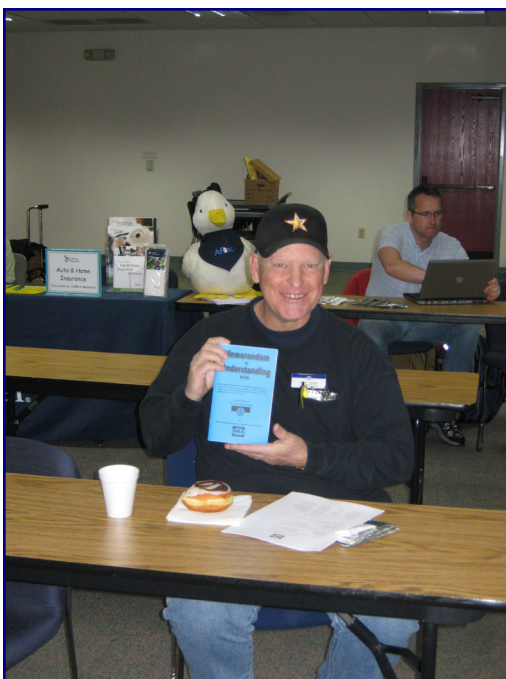
MEA Comes to You...

January's MOU Distribution a Big Hit

MEA Board members and staff enjoyed meeting and talking with members during the numerous site visits to distribute your MOU for Fiscal Years 2010 and 2011.

We hope it allowed you to take a short break from your busy workday to enjoy some pizza and/or donuts and to speak directly with your MEA leadership and union colleagues.

We greatly appreciate all of the useful feedback we received and welcome any additional input you might have.



Member Dennis Couture was eager to receive his MOU. Though we're quite sure he was more excited about the donut.



Members at MWWD took some time out from their hectic day to eat pizza and enjoy the lunch hour before returning to work.



Members at Police Headquarters had an opportunity to grab some donuts and speak with MEA's leadership before they began their demanding day.



Members at Storm Water were interested to read about the changes listed in the MOU.



Members in the Engineering and Capital Projects Department were greeted with donuts and MOUs before they started their busy day.



ME Board President Tony Ruiz signs a member in at the Downtown MOU and pizza site visit.



General Manager Mike Zucchet sat with members to discuss their concerns and to gain helpful input.



First Vice President Bob Cronk and Board member Ananta Baidya work together to welcome and assist members attending the first MOU site visit.



A group of members chat and enjoy their pizza lunch at one of many MOU distributions.

Gabrielle Mead

Parking Enforcement

Provide a brief history of yourself—where you were born, where you went to school, some jobs you had before working for the City, names of your family, age of any children, etc.

I was born in Chicago, Illinois and lived in the South Shore area. I was an only child. I graduated from George Williams College with a Bachelors degree in Recreation. I have worked as an activity director in convalescent hospitals, a dispatcher for a fuel oil company, a sandwich maker in a deli and a 411 operator for Pacific Bell. My first job for the City of San Diego was in the Park and Recreation Department. I worked for Disabled Services-Therapeutic Recreation and was known as the "craft queen". I am also a licensed ordained minister. I don't have any two legged children, but have always had dogs and cats. I have a pond with approximately 15 Koi, and even had a chinchilla for a period of time.

Did you have any nicknames growing up?

There was a nun at my school that always used to call me "Gabby". I hated that nickname, especially since I was very quiet and hardly ever spoke up. Since I was a baby, my mother always called me Bree. Now everyone calls me Bree, not Gabrielle, so I guess it just depends on who gives you your nickname.

What's the worst thing you did as a kid?

I moved to a different high school halfway through my senior year. On a school-sponsored ski trip, a group of us decided to sneak out, and to stay out the entire night (it was actually pretty innocent, we just went cross country skiing). The next morning, we were greeted by our adult chaperones as we came in. In my defense, I told them what I had been told before we snuck out, that this was an annual senior year tradition to sneak out during the ski trip. That was when I was informed that no senior year, out-all-night tradition existed.

What was your favorite music group when you were in junior high?

Earth, Wind & Fire.

What brought you to the City?

A very dear friend said she saw a job announcement on a bulletin board for Disabled Services.

How long have you worked for the City?

21 years.

What is your job title and City department?

Parking Enforcement Officer II, San Diego Police Department.

What was your first week like at the City? Any good "transition" stories?

My 1st day was on Halloween. I came to work in costume...

What tends to be your first thought when you wake up?

Prayer and feed the animals.

What's something you don't mind buying used?

Antiques, jewelry, furniture and clothes.

What is the first thing you notice about people?

A person's hair, clothes and articulation.

In how many languages can you say "Hello" (which ones)?

3 languages- "Bon jour" (French), "Hola" (Spanish) and "Shalom" (Hebrew).

What is something(s) you'd like MEA members to know about you?

Together we can make things happen. Also, it's okay to respect others for their individuality, we're not clones. Because we have different goals and accomplishments we are the City of San Diego. Lastly, I will fight for our rights as long as I'm able because it's a matter of ethics.



Report of Independent Auditors

Each year, an independent auditor, Lindquist LLP, does a complete audit of MEA's finances to determine what portion of total expenditures made are "chargeable" to agency fee payers. The following report from Lindquist LLP details the fair share cost of services rendered by MEA on behalf fee payers. The new percentage of "chargeable" expenditures to the Agency Fee Payers is 94.3 percent of membership dues.

We have audited the accompanying schedule of cash disbursements and allocation between chargeable cash disbursements and non-chargeable cash disbursements of San Diego Municipal Employees Association (the Association) for the year ended June 30, 2008. This schedule is the responsibility of the Association's management. Our responsibility is to express an opinion on this schedule based on our audit.

We conducted our audit of this schedule in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform an audit to obtain reasonable assurance about whether the schedule is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the schedule. An audit also includes assessing the accounting principles used and significant estimates made by the Association's management, as well as evaluating the overall presentation of the schedule. We believe that our audit provides a reasonable basis for our opinion.

This schedule was prepared using the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

The total cash disbursements reflected in Column A of the schedule agree to the cash disbursements is the audited schedule of cash receipts and disbursements of the Association for the year ended June 30, 2008, as modified to remove the following disbursements: insurance premiums disbursed to insurance carriers of \$13,677,126 which were paid from voluntary participant

payroll withholdings, cost of tickets of \$100,042 which were paid from voluntary member ticket purchases, and repayable loan disbursements of \$69,387. This schedule is not intended to be a complete presentation of the Association's cash receipts and disbursements. The allocation of cash

disbursements between chargeable (Column B) and non-chargeable (Column C) cash disbursements is based on the definitions and significant factors and assumptions described in the audit.

Lindquist LLP

San Diego Municipal Employees Association			
Consolidated Schedule of Cash Disbursements and Allocation Between Chargeable Cash Disbursements and Non-Chargeable Cash Disbursements			
Year Ended June 30, 2008			
	Column A Total Disbursements	Column B Chargeable Disbursements	Column C Non-Chargeable Disbursements
Automobile costs	\$ 9,778	\$ 9,768	\$ 10
Board meeting expenses	36,113	36,113	-
Building maintenance and repairs	9,409	9,400	9
Conferences, lodging, and transportation	13,792	13,792	-
Cost of tickets	100,042	-	100,042
Donations	28,631	-	28,631
Dues (CIPELC)	450	-	450
Employee benefits	173,068	172,895	173
Events, awards, promotion and recognition	54,323	3,739	50,584
General and administrative	132,227	132,095	132
Insurance	16,845	16,828	17
Interest	1,798	1,796	2
Loans provided	69,387	-	69,387
Member and fee payer voluntary insurance premiums	13,677,126	-	13,677,126
Non-board meeting expenses	6,985	6,978	7
Office rent	123,519	123,395	124
Outside services	7,646	7,638	8
Postage	6,174	5,682	492
Principal payments on notes payable	7,866	7,858	8
Printing and publications	45,855	36,537	9,318
Professional fees	471,268	430,996	40,272
Property and equipment purchases	12,777	12,764	13
Salaries and payroll taxes			
Regular	1,001,854	1,000,852	1,002
Other Compensation	95,000	94,905	95
Supplies	26,066	26,040	26
Telecommunications	28,422	28,394	28
Web site expenses	2,475	1,972	503
Total cash disbursements	16,158,896	2,180,437	13,978,459
Less disbursements paid with other than member dues and fair share fees			
Cost of tickets	(100,042)	-	(100,042)
Loans provided	(69,387)	-	(69,387)
Members and fee payers voluntary ins premiums	(13,677,126)	-	(13,677,126)
Total cash disbursements as modified	2,312,341	2,180,437	131,904
Chargeable and non-chargeable percentages		94.3%	5.7%



Board Member of the Year: Leslie Simmons

MEA wants to recognize Board Member of the Year, Leslie Simmons. Leslie was voted by her Board peers for this esteemed honor. She has been an MEA Board member for more than a decade and has served as Secretary for 2 years, has been on the Executive Committee and is currently an integral part of MEA's Negotiating Team.

Leslie has worked for the City for more than 18 years, and has spent her entire City tenure in the Library Department. She has been an MEA member since she was hired and became a part of MEA's leadership after a co-worker suggested that she get involved in the union.

In her spare time, Leslie loves spending time with her wife, Sue, and sharing food and a good glass of wine with their friends. She also enjoys reading, watching movies and being outside, which includes hiking and taking road trips.

From all of us at MEA, thank you Leslie and congratulations on being named Board Member of the Year!

Bill's Garlic Roasted Shrimp and Orzo Salad

Bill Craig currently serves on MEA's Executive Board, Scholarship Committee, Health and Welfare Committee and chairs the Communications Committee.

Ingredients:

Kosher salt
1 lb. orzo pasta
½ cup fresh lemon juice (3 medium lemons)
Freshly ground black pepper
3 cloves of pressed garlic
2 tablespoons Dijon mustard
½ cup extra virgin olive oil (plus some for the shrimp)
2 lbs. peeled, uncooked medium shrimp with tails on (frozen at Costco)
1 cup minced scallions
1 cup chopped fresh dill (dried is too strong)
½ cup chopped fresh flat-leaf parsley
½ cup chopped cilantro
3 medium cucumbers, peeled, seeded and diced small
¾ cup finely diced red onion
1 cup crumbled feta cheese (Costco)

MEA Supports Council District 3



Councilmember Todd Gloria gladly accepts Easter baskets donated to those in need in his Council District on behalf of MEA.

It's a Girl!



Congratulations to MEA member Shawn Pavlik and his family and their newest edition, Ava Renee, born on March 30th.

Preheat oven to 400 degrees

Fill a large pot with salted water and bring to a boil. Add the orzo and boil until slightly al dente, stirring occasionally (see the package for details). Drain and pour into a large bowl. Whisk together the lemon juice, olive oil and mustard. Pour over the hot pasta and stir well.

Meanwhile, place the shrimp in a bowl and drizzle with olive oil. Mix the pressed garlic with the shrimp until the garlic is evenly distributed. Lay the shrimp (thawed and drained) as one layer in a cookie sheet lined with aluminum foil and roast in the oven for 5 to 6 minutes.

After cooling somewhat, remove and discard the tails of the shrimp. Cut the shrimp into bite-sized pieces and mix with the orzo. Add the cucumbers, dill, parsley, cilantro and onion along with 2 tbsp. salt and 1 tbsp. pepper. Mix well. Stir in the feta cheese until it is thoroughly incorporated with the orzo. Check for salt and pepper to taste. It should be served warm or at room temperature (although it's pretty darned good cold, too). Makes a bunch of servings.

REA Welcomes MEA Retirees

I am Jim Baross, the new President of the San Diego Retired Employees Association (REA). Several years ago, I served as MEA's vice president during the "Nobody Does It Better" campaign. Now I'm taking on a new challenge at REA that will help to ensure that MEA retirees are represented during this next chapter of their lives.

REA is a non-profit organization that performs a vital watchdog role by monitoring developments in public employee retirement provisions and advocating on behalf of our members. Many public agencies are already trimming the pensions and healthcare benefits of their employees, and we strongly oppose any attempts to reduce or eliminate contracted retiree benefits.

As potential or already-retired City employees, I encourage you to learn what REA does to provide strong, dignified and responsible representation to all of our members. It is our goal to maintain the retirement benefits and social welfare of retired City employees, spouses and beneficiaries of the City of San Diego Retirement System.

Since challenges to retirement benefits continue, we can only rely on our own vigilance and ability to respond and protect them. As an organization, we depend on each other to join, support and work together. I encourage you to find out what REA is all about and to join us when you retire. Those of you in DROP are welcome too! For more information, please log on to www.CSDREA.com or call (858) 272-0494. We look forward to hearing from you!

Jim Baross
REA President

MEA Stewards



Congratulations to the following stewards for completing their training on Employee Performance Reports. Chief Steward Mark Chrysler (top left), and 2nd Vice President Jan Lord (bottom left) presented the stewards with a certificate of their achievement. From top left to right, Chief Steward, Mark Chrysler, Ramone Lewis, Shamelia Cooper, Maurice Brown and Matthew Sanders. Bottom left to right, 2nd Vice President Jan Lord, Michele Alano and Alice Daniels.

SHOW US YOUR VIEWPOINT

In the future, The Viewpoint will have a section featuring MEA members photographed with their Viewpoint in different (and hopefully exotic) locations. So on your next trip, don't forget to pack your Viewpoint and take a picture. If your photograph is featured, you will receive a pair of movie tickets.

We look forward to your submissions!



A special
birthday wish
for the following
MEA Board members:

April

11th Lisa Goehring
19th Steve Ramirez
22nd Jeff Wallace
25th Deanna Walker
26th Graham Hufford

May

3rd Susan Hurst
9th Bree Mead
12th Eleuterio Buquiran
15th Joe Miesner
21st Karen Witherspoon
26th Sarah Anderson
27th Tony Ruiz III

June

19th Kimberly Kahn
28th Kyle Wiggins



Introducing Your By-Laws Committee

In order to determine exactly what the Bylaws Committee is all about, we need to take a look at the definition of "bylaws" from Webster's Dictionary. "Bylaws (n.) are the written rules for conduct of a corporation, association, partnership or any organization. Bylaws generally provide for meetings, elections of a board of directors and officers, filling vacancies, notices, types and duties of officers, committees and other routine conduct. Bylaws are, in effect, a contract among members and must be formally adopted and/or amended."

Essentially, MEA's Bylaws Committee studies and reviews our organization's bylaws and recommends amendments to the Board of Directors for approval. Amendment suggestions can be brought forward by committee members, Board members and/or Executive committee members.

The committee recently had the first change of 2010 approved by the Board of Directors at the March meeting. Article VI, Section 1 was changed to read, "The standing committees shall consist of the Building, By-Laws, Communications, Elections, Finance, Health & Welfare, Membership, Political Action, Social & Recreation, and Standing Rules committees. Ad Hoc committees are those committees formed for a specific purpose or event and are to be formed as needed by the Board of Directors or President with confirmation from the Board of Directors." In addition, Article VI, Section 2 now reads, "The President shall appoint the Chair of all standing and Ad Hoc committees."

These amendments were to address the fact that many of the previously listed committees were no longer active.



The current members of the committee are (from left to right): Second Vice President Jan Lord, Ananta Baidya, Sheila Beale, Stephanie Clark, Mary Enyeart, Carmel Honeycutt, Pete Lynch and Board Secretary Kyle Wiggins. The committee meets at least once per month, one hour prior to the Board of Directors meeting.

For more information about the By-Laws Committee or amendment suggestions, please contact Jan Lord at jlord@sandiego.gov

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Questions about your MEA Benefits?

If you are having problems with your health, dental, vision or any other MEA benefits, please contact MEA Benefits Coordinator Jon Hayes at Integrated Labor Solutions, 888.217.9175.



MEA Discount Tickets for Members

Please call or stop by the MEA office for your discount tickets.

Discount Ticket	MEA Price	Regular Price
San Diego Zoo		
Deluxe Package		
Adults	\$28.00	\$34.00
Children (Ages 3-11)	\$19.50	\$24.00
San Diego Wild Animal Park		
Deluxe Package		
Adults	\$28.00	\$34.00
Children (Ages 3-11)	\$19.50	\$24.00
Sea World Day Pass		
Adults	\$51.00	\$65.00
Children (Ages 3-9)	\$45.50	\$55.00
Legoland		
Adults	\$44.00	\$63.00
Children (Ages 3-11)	\$44.00	\$53.00
Legoland Sea Life Aquarium		
Adults	\$9.00	\$18.95
Children (Ages 3-11)	\$9.00	\$11.95
Six Flags Magic Mountain		
Adults	\$25.00	\$59.99
Children (Under 48")	\$15.00	\$29.99
K1 Speedway (Must be 4'11")	\$15.00	\$25.95
AMC Restricted	\$6.00	
AMC Unrestricted	\$7.50	
Reading	\$6.00	
Regal Restricted	\$6.50	
Regal Unrestricted	\$7.50	

events

May 6, 2010
MEA Finance Committee meeting
MEA Executive Committee meeting

May 9, 2010
Happy Mother's Day!

May 12, 2010
MEA Board of Directors meeting
MEA Executive Committee meeting

May 25, 2010
MEA Stewards meeting

May 27, 2010
MEA Executive Committee meeting

May 31, 2010
MEA office closed. Happy Memorial Day!

June 3, 2010
MEA Finance Committee meeting
MEA Executive Committee meeting

June 8-10, 2010
MEA Blood Drive

June 16, 2010
Board of Directors meeting
MEA Executive Committee meeting

June 20, 2010
Happy Father's Day!

June 22, 2010
MEA Stewards meeting

June 24, 2010
MEA Executive Committee meeting

July 5, 2010
MEA office closed. Happy Independence Day!

July 8, 2010
MEA Finance Committee meeting
MEA Executive Committee meeting

July 14, 2010
MEA Board of Directors meeting
MEA Executive Committee meeting

July 27, 2010
MEA Stewards meeting

July 29, 2010
MEA General Membership meeting



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