

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: AMY REEVE, DIRECTOR OF HUMAN RESOURCES  
HUMAN RESOURCES DEPARTMENT  
SUBJECT: CORRECTING A CLERICAL ERROR IN THE MEMORANDUM OF UNDERSTANDING FOR THE CITY OF SANTA ROSA'S UNIT 9 – POLICE SAFETY MANAGEMENT, REPRESENTED BY THE SANTA ROSA POLICE MANAGEMENT ASSOCIATION

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Human Resources Department that the Council, by resolution, authorize the City Manager to execute a Side Letter Agreement to correct a clerical error in the Memorandum of Understanding for the City of Santa Rosa's Unit 9 – Police Safety Management, represented by the Santa Rosa Police Management Association that all Unit 9 employees will continue to be eligible for the 3% bilingual premium.

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EXECUTIVE SUMMARY

By adopting this resolution, Council will authorize the correction of a clerical error in the Memorandum of Understanding for Unit 9 – Police Safety Management allowing all Unit members to continue to be eligible for the 3% bilingual premium.

BACKGROUND

The Police rank and file unit has bilingual pay of 5% for officers who are verbally fluent in Spanish and a 3% pay incentive for officers who are not verbally fluent but are able to converse in Spanish well enough to complete a basic investigation.

Prior to 2007, the Police Managers Association (PMA), 2006-2009 Memorandum of Understanding (MOU) covered only Sergeants and provided for the same two levels of levels of bilingual benefits as the police rank and file unit. On March 6, 2007, the City Council passed Resolution 26792 recognizing the Police Management Association as the exclusive representative for the Police Lieutenants. On January 13, 2009, the City Council passed Resolution 27291 recognizing the PMA as the exclusive representative for the Police Captains.

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The 2009-2011 PMA MOU, which was subsequently negotiated, continued to provide 3% and 5% levels for Sergeants, but only the 5% level for Lieutenants and Captains.

In March 2022, while reviewing payroll elements it was discovered that, despite the MOU language only providing a 3% level for Sergeants, the City paid eligible Lieutenants and Captains at the 3% and 5% levels, depending on their skill levels. Once this was discovered, the City stopped paying the benefit.

PRIOR CITY COUNCIL REVIEW

None.

ANALYSIS

The City has investigated the omission of the 3% level from the text of the PMA MOU and concluded that the omission was a clerical error. Because the employees actually received the premium, this correction shall be deemed retroactive to March 6, 2007, for pension purposes. Employees who previously received the premium would be reimbursed for the period of March 1, 2022, to the date of Council approval of the agreement.

FISCAL IMPACT

There will be no fiscal impact in the FY 2022-23 budget as the bilingual premium has been included in the budget for salaries and benefits. No additional funds for FY 2022-23 are required.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines Section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

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ATTACHMENTS

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