

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL

FROM: JEREMIA MILLS, EMPLOYEE RELATIONS MANAGER, HUMAN RESOURCES DEPARTMENT

SUBJECT: ADOPTION OF FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA ROSA AND SANTA ROSA POLICE OFFICERS ASSOCIATION FOR AND ON BEHALF OF THE CITY'S UNIT 5 –POLICE OFFICERS EFFECTIVE JULY 11, 2017 THROUGH JUNE 30, 2019

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

The Human Resources Department and the City Manager's Office recommend that the Council, by resolution, adopt the First Amendment to the Memorandum of Understanding between the City of Santa Rosa and Santa Rosa Police Officers Association for and on behalf of the City's Unit 5 –Police Officers, effective July 11, 2017 through June 30, 2019.

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EXECUTIVE SUMMARY

By adopting this resolution, Council will approve an amendment to the Memorandum of Understanding between the City of Santa Rosa and Unit 5 – Santa Rosa Police Officers Association, effective July 11, 2017 through June 30, 2019, correcting the time period for which members of Unit 5 Police were eligible to receive the retention incentive described in Section 35.3.

BACKGROUND

The City's representatives and representatives of Unit 5 – Santa Rosa Police Officers Association (SRPOA) met and conferred concerning successor Memorandum of Understanding (MOU) and reached a tentative agreement in June of 2017. City Council adopted the two-year contract on July 11, 2017. The MOU was subsequently rescinded and the correct MOU was adopted on February 6, 2018, effective July 11, 2017. Section 35.3 of the MOU provides a \$1,000 retention incentive to Unit 5 members. The parties intended that Unit 5 members who were employed by the City on the effective date of

## APPROVAL OF AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING, UNIT 5

the MOU and who remained employed by the City as of the first pay period in July 2018, which commenced on July 8, 2018, would receive the incentive. The parties also intended that Unit 5 members who were employed by the City on the effective date but who retired prior to the first pay period in July 2018, would also receive the incentive. Due to a drafting oversight, Unit 5 employees who were employed by the City on the effective date, but who retired between July 1 and July 7, 2018, inclusive, did not receive the incentive.

### ANALYSIS

Chapter 2-36 of the Santa Rosa City Code and the Rules and Regulations pertaining to Employer-Employee Relations adopted thereunder, establishes procedures and a reasonable period of time for the meet and confer process to take place between the City's management representatives and representatives of recognized employee organizations, all in accordance with the provisions of the Meyers-Milias-Brown Act and applicable laws.

Between July and September of 2018, the parties met over the changes to be made through this amendment.

The parties would like to correct the oversight so that these retired officers will be eligible to receive the retention incentive under the terms of the MOU as follows:

#### 35.3 Retention Incentive

~~Effective the first full pay period of July 2018~~ **E**ach employee covered by this MOU who is employed ~~as of the Effective Date~~ **s of the Effective Date** ~~at the time the Council approves this Agreement~~ and who remains employed **by the City without interruption at the time of this disbursement** **as of July 8, 2018**, shall receive a one-time, lump sum payment of \$1,000.00 **in July 2018**.

The parties agree that this one-time, lump sum payment is not intended to compensate employees for any time worked in the past and or in the future and further agree that this payment does not meet the criteria under California Code of Regulations 571(b) as reportable compensation for retirement purposes.

In recognition of the fact that the incentive payment will not be included in final compensation, members who retire between the ~~Effective Date of the Agreement~~ **Effective Date of the Agreement** and **July 8, 2018, June 30, 2018** will receive this one-time, lump sum payment upon retirement.

### FISCAL IMPACT

The cost of these one-time lump sum payments were included in the FY 18-19 Adopted budget. There are no additional fiscal impacts by adopting this resolution.

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### 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 Guideline section 15378.

### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

### NOTIFICATION

Not applicable.

### ATTACHMENTS

- Resolution/Exhibit A – First Amendment to the Memorandum of Understanding between the City of Santa Rosa and Unit 5 – Santa Rosa Police Officers Association, effective July 11, 2017 through June 30, 2019.

### CONTACT

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