

CITY OF YUBA CITY
STAFF REPORT

Date: April 20, 2021
To: Honorable Mayor and Members of the City Council
From: Human Resources Department
Presentation By: Natalie Springer, Human Resources Director

Summary

Subject: Police Sworn Mid-Managers (PSMM) Side Letter

Recommendation: Adopt a Resolution approving a Side Letter with PSMM regarding separation rate of pay

Fiscal Impact: Estimated at \$8,000, dependent on leave bank balance for all members

Purpose:

To approve the Police Sworn Mid-Managers Side Letter regarding separation rate of pay.

Background:

Separation Rate of Pay:

At the April 20, 2020 City Council meeting, City Council approved the PSMM Letter of Understanding (LOU) which included education incentive pay of 2.5% of base salary for bargaining unit members with a Master's degree in a work related field or for successful completion of the FBI Academy. The education incentive pay was effective the first full pay period in July 1, 2020. The LOU language did not specify education incentive pay was to be included in the separation rate of pay. Education incentive pay is included in the separation rate of pay for the Police Officers' Association and Police Sergeants.

Analysis:

Staff recommends including education incentive pay, on a go forward basis, in the employee's hourly rate (as listed in publicly available salary schedule). Staff considers this an LOU "clean up" item.

All other provisions of the current Letter of Understanding between the City and PSMM shall remain unchanged.

Fiscal Impact:

If the entire PSMM retired, the estimated cost of the leave payouts would increase by \$8,000.

Alternatives:

Do not approve PSMM Side Letter and provide staff direction.

Recommendation:

Adopt a Resolution approving a Side Letter with PSMM, effective April 20, 2021 regarding separation rate of pay.

Attachments:

- A. PSMM Side Letter Resolution
- B. PSMM Side Letter

Prepared By:

/s/ Natalie Springer

Natalie Springer
Human Resources Director

Reviewed By:

Finance

Special Counsel

Submitted By:

/s/ Dave Vaughn

Dave Vaughn
City Manager

SM

SS by email

ATTACHMENT A

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE POLICE SWORN MID-MANAGER'S SIDE LETTER**

WHEREAS, the City recognizes Police Sworn Mid-Manager's (PSMM) commitment to the City and its citizens while providing outstanding and dedicated service to all; and

WHEREAS, the PSMM LOU has one "clean up" item that is included in this side letter define the scope of "separation pay";

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

1. Approve the attached PSMM Side Letter specifying that education incentive pay is included in an employee's separation rate.

The foregoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 20th day of April 2021.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

Approved as to form:

Stacey Sheston
BB&K, Special Counsel

ATTACHMENT B

Side Letter Agreement
Between
The City of Yuba City
And
The Police Sworn Mid-Managers

The City of Yuba City (“City”) and the Police Sworn Mid-Managers (“PSMM”) agree to incorporate this Side Letter into the current Letter of Understanding (LOU) effective July 1, 2019, through June 30, 2021. The City and PSMM (collectively, the “parties”) agree that the specific provisions contained in this Side Letter Agreement shall supersede any previous agreement regarding matters contained herein.

1. Separation Rate of Pay

Pursuant to state law, existing City policy, and the LOU, various accrued paid leave hours are paid out to an employee at separation from City employment (including vacation, administrative leave, and some sick leave, to the extent permitted in the City’s Rules and Regulations). The parties agree that, effective April 20, 2021, the separation rate of pay for such payouts shall mean the employee’s hourly rate (as listed in the then-current publicly available salary schedule) plus the applicable education incentive for which the employee qualifies under this LOU at the time of separation.

2. Remainder of Contract Not Affected.

All other provisions of the current LOU between the City and PSMM shall remain unchanged.

Date: _____

Date: _____

City of Yuba City

Police Sworn Mid-Managers

Dave Vaughn, City Manager

Jeremy Garcia, Assistant Police Chief

Brad McIntire, Community Services Director

Brian Baker, Police Commander

Natalie Springer, Human Resources Director