

**CITY OF SEBASTOPOL CITY COUNCIL
AGENDA ITEM REPORT FOR MEETING OF:**

August 6, 2024

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To: Honorable Mayor and City Councilmembers
From: Mary Gourley, Assistant City Manager
Deborah Muchmore, Human Resources, Muchmore Than Consulting
Subject: Approval of Side Letters/Extension of Contracts for:

1. SPOA – Sebastopol Police Officers Association
2. SEIU – Service Employees International Unit (Public Works/Administrative Personnel)

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RECOMMENDATIONS:

That the Council approve and ratify Side Letters/Extension of Contracts for:

1. SPOA – Sebastopol Police Officers Association
2. SEIU – Service Employees International Unit (Public Works/Administrative Personnel)

EXECUTIVE SUMMARY:

The City’s negotiating team met independently and in good faith with Service Employees International Union (SEIU) representatives as well as Sebastopol Police Officer Association (SPOA) representatives in accordance with the Meyers-Milias-Brown Act regarding an extension of each of the current agreements. An Agreement was reached in each case for a six-month extension of the respective agreements. A summary of the terms for each extension agreement follows and a copy of the side letter agreements are attached as Exhibit A and Exhibit B of the Resolution included as Attachment 1, for reference. The side letter agreements amend the current agreements between the City and SEIU and the City and SPOA. The side letter agreements have been ratified by SEIU and SPOA and staff is now seeking the City Council’s approval to amend the MOU as noted below.

BACKGROUND AND DISCUSSION:

On June 30, 2024, both the Service Employees International Union (SEIU) and Sebastopol Police Officer Association (SPOA) Memorandum of Understandings were set to expire. However, due to the City’s fiscal situation, the City met separately with SEIU and SPOA regarding an extension of the current agreements. In both cases, the parties and came to terms to extend the contracts for an additional six months. The extensions will allow the City time to obtain more definitive financial information, Listed below are the conditions of the side letter relative to each group as follows:

SEIU:

WAGES:

- A \$1,000.00 Off Salary Schedule Payment (OSSP), not reportable to CalPERS as earnings, payable by the second paycheck in December 2024 and prior to 12-31-2024.

HOLIDAYS:

- Two additional holidays for calendar year 2024 only:
Monday, December 23
Thursday, December 26

TERM OF AGREEMENT:

- The term of this agreement will be from July 1, 2022, and end December 31, 2024.

SPOA:

WAGES:

1. A \$1,000.00 off salary schedule payment (OSSP) (not reportable to CalPERS as earnings) payable the first full pay period following City Council approval.
2. A \$1,000.00 OSSP (not reportable to CalPERS as earnings) payable by the second pay check in December 2024 and prior to 12-31-2024.

TERM OF AGREEMENT:

- The term of this agreement will be from July 1, 2022, and end December 31, 2024.

OUTSOURCING:

The City agrees that there will be no outsourcing of bargaining unit work during the term of this MOU extension. Further, the City will take no exploratory steps with regard to outsourcing during the term of this MOU extension.

STAFF ANALYSIS:

The existing Memorandum of Understandings (MOUs) between the City and both bargaining units, SPOA and SEIU, were set to expire on June 30, 2024. Recognizing the delay in the budget process and the potential financial impacts caused by stagnant revenues, the parties have reached a tentative agreement on the terms to be included in the Side Letter Agreement, which extends the MOUs until December 31, 2024.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment on this item. However, if staff receives public comment from interested parties following the publication and distribution of this staff report, such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of this item.

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

FISCAL IMPACT:

The financial impacts of the Proposed Side Letter Agreement terms are presented in the grid below. The Side Letters of Agreement will result in an expenditure of approximately \$71,744 this fiscal year.

| Financial Impacts of Proposed Side Letter Agreement | |
|--|------------------|
| MOU Provision | Amount |
| \$2,000 one-time off salary payment | \$ 34,000 |
| \$1,000 one-time off salary payment | \$ 15,000 |
| Value of Holiday Closure | \$ 22,744 |
| Total Value of Agreement | \$ 71,744 |

OPTIONS:

That the City Council adopt the Side Letter(s) for both SPOA and SEIU. If the Council chooses not to adopt the side letter(s), the Council can:

1. Adopt SPOA Side Letter only and deny SEIU;
2. Adopt SEIU Side Letter only and deny SPOA;
3. Deny both SEIU and SPOA Side Letter(s)

If the Council denies one or both side letter(s), the City will continue to operate under expired MOUs until both parties are able to meet and confer in a timely manner and the matter is returned at the conclusion of those processes for Council's final determination.

ATTACHMENTS:

1. Side Letter -SPOA
2. Side Letter - SEIU

APPROVALS:

Department Head Approval:

Approval Date: 7-23-2024

CEQA Determination (Planning):

Approval Date: 7-23-2024

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.

Administrative Services (Financial)

Approval Date: 7/22/24

Costs authorized in City Approved Budget: Yes No N/A

Account Code (f applicable)

City Manager Approval:

Approval Date:

**CITY OF SEBASTOPOL (CITY)
AND
SEBASTOPOL POLICE OFFICERS' ASSOCIATION (SPOA)
TENTATIVE AGREEMENT***

Agenda Item Number: 7

The parties agree to extend the term of the existing MOU to December 31, 2024, with the following provisions:

WAGES:

1. A \$1,000.00 off salary schedule payment (OSSP) (not reportable to CalPERS as earnings) payable the first full pay period following City Council approval.
2. A \$1,000.00 OSSP (not reportable to CalPERS as earnings) payable by the second pay check in December 2024 and prior to 12-31-2024.

TERM OF AGREEMENT:

The term of this three-year agreement will be from July 1, 2022, through ~~June 30~~December 31, 2024.

OUTSOURCING:

The City agrees that there will be no outsourcing of bargaining unit work during the term of this MOU extension. Further, the City will take no exploratory steps with regard to outsourcing during the term of this MOU extension.

CITY OF SEBASTOPOL



DON SCHWARTZ, CITY MANAGER

DATE: 6-24-24

**SEBASTOPOL POLICE OFFICERS'
ASSOCIATION**



JACQUES LEVESQUE, PRESIDENT

DATE: 6-11-2024

*Subject to ratification by the SPOA and City Council approval.

CITY OF SEBASTOPOL (CITY)
AND
THE SERVICE EMPLOYEES' INTERNATIONAL UNION, LOCAL 1021 (SEIU)
SIDE LETTER AGREEMENT
TO
JULY 1, 2022 – JUNE 30, 2024
MEMORANDUM OF UNDERSTANDING (MOU)

WHEREAS, the City and SEIU Local 1021 have met and conferred in good faith, and;

WHEREAS, the parties have agreed that additional time may allow the City to improve the current budget situation by December 31, 2024.

NOW THEREFORE, the City and the SEIU agree to extend the terms of the existing MOU to December 31, 2024, in exchange for the following:

WAGES:

A \$1,000.00 Off Salary Schedule Payment (OSSP), not reportable to CalPERS as earnings, payable by the second pay check in December 2024 and prior to 12-31-2024.

HOLIDAYS:

Two additional holidays for calendar year 2024 only:

- Monday, December 23
- Thursday, December 26

TERM OF AGREEMENT:

The term of this agreement will be from July 1, 2022, and end December 31, 2024.

City of Sebastopol

Service Employees International Union,
Local 1021 (SEIU)

Don Schwartz
City Manager

Aaron Burton
SEIU 1021 Field Representative

Mary Gourley
Assistant City Manager/City Clerk

Pattie Murphy
SEIU 1021 Steward

Patrick Clark
Chief Labor Negotiator

Anthony Drolet
SEIU 1021 Steward

Executed/Signed Document to be Inserted Once Received

Kevin Mulligan
SEIU 1021 Steward

Executed/Signed Document to be Inserted Once Received