



## **CITY OF MENIFEE**

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SUBJECT: Menifee Miscellaneous Police Employee Association Side Letter Agreement

MEETING DATE: December 6, 2023

TO: Mayor and City Council

PREPARED BY: Bryan Melton, Human Resource Analyst

REVIEWED BY: Jonathan Nicks, Deputy City Manager

APPROVED BY: Rebekah Kramer, Acting City Manager

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### **RECOMMENDED ACTION**

1. Authorize the City Manager or designee to execute and implement terms of the Memorandum of Understanding Side Letter with the Menifee Miscellaneous Police Employee Association.

### **DISCUSSION**

#### Compensation

On June 15, 2022, the City Council approved a memorandum of understanding (MOU) with the Menifee Miscellaneous Police Employee Association (MMPEA). Section 15.1.3 (Reopeners) stated that the parties agree to a limited reopener during the term of the MOU if the City Employees' Association (CEA) Units receives an increase in their health insurance or compensation provisions, which shall also apply to the MMPEA retroactively to the date applied to the CEA.

Section 9.3.3 (Compensation) of the MOU stated that effective July 1, 2023, all represented employees shall receive a compensation base salary increase of the lower of: a.) three percent (3%) or b.) the Riverside-San Bernardino-Ontario CPI-W from March 2022 to March 2023, which shall not be less than zero percent (0%) if the CPI comparison is negative. Effective July 1, 2023, MMPEA employees received a base salary increase of three percent (3%), while CEA employees received a base salary increase of four percent (4%). Due to the limited reopener in the MMPEA MOU, represented employees were eligible to receive a total of four percent (4%) retroactive to July 1, 2023. This difference of one percent (1%) is in addition to what the MMPEA already received.

#### Holiday Closure

For parity and consistency with CEA, retroactive to July 1, 2023, MMPEA propose removing Section 12.6.7 (The second Monday in October "Columbus Day") of the MOU in exchange for the closure of non-public safety City Facilities during the week between Christmas and New Year's

Day. This "Holiday Closure" will result in the closure of non-public safety City Facilities beginning December 25, 2023 and January 1, 2024 (re-opening on Tuesday, January 2, 2024).

Additionally, any employee who is required to work during the Holiday Closure for public safety purposes, will receive the equivalent number of hours deposited into a holiday leave bank. Any holiday bank balance at fiscal year-end will be cashed out each June, up to a maximum of 80 hours, which is no change from the current practice.

#### Background

Section 3505.1 of the Meyers-Milias-Brown Act provides that "If a tentative agreement is reached by the authorized representatives of the public agency and a recognized employee organization or recognized employee organizations, the governing body shall vote to accept or reject the tentative agreement within 30 days of the date it is first considered at a duly noticed public meeting. A decision by the governing body to reject the tentative agreement shall not bar the filing of a charge of unfair practice for failure to meet and confer in good faith. If the governing body adopts the tentative agreement, the parties shall jointly prepare a written memorandum of understanding." Once approved by the governing body of a local agency, a memorandum of understanding becomes a binding agreement between the employee organization and the local agency.

#### **STRATEGIC PLAN OBJECTIVE**

Regular City Business

#### **FISCAL IMPACT**

The current fiscal impact for the Compensation item is one percent (1%) increase of corresponding salary and benefits accounts for represented employees for the period of July 1, 2023, to present. For the 19 represented positions, this equals an aggregate annual increase to the FY2023/2024 budget in salary expenses of approximately \$15,500. There are additional increases to other related personnel costs such as retirement costs based upon a percentage of the respective salary. No additional budget appropriations are required as the current adopted budget can absorb the estimated increases. The current fiscal impact for the Holiday Closure item is approximately \$11,200 in the corresponding salary and benefits accounts, which can also be absorbed by the current approved budget for FY2023/2024. No additional appropriation is needed required.

#### **ATTACHMENTS**

1. MMPEA Side Letter