



Legislation Text

File #: 21-0731, Version: 1

REQUEST FOR CITY COUNCIL ACTION

DATE: 07/21/2021

TO: Honorable Mayor and City Council Members

FROM: Human Resources Department

SUBJECT:

Corona Firefighters Association Side Letter of Agreement, Corona Police Officers' Association (Corona Police Employees Association and Corona Police Supervisors Association) Side Letter of Agreement, Management/Confidential Group and Executive Group Resolutions, and Amendments to employment agreements for City Manager and City Attorney/Legal & Risk Management Director.

EXECUTIVE SUMMARY:

The City is currently engaged in labor negotiations with all five bargaining associations. Due to the complex nature of the current negotiations, Corona Firefighters Association, IAFF Local 3757 has entered a Side Letter to extend the current Memorandum of Understanding. The Corona Police Employees Association and Corona Police Supervisors Association, noted collectively as the Corona Police Officers' Association on the attached Side Letter, has entered a Side Letter (subject to ratification) to extend the current Memorandum of Understanding.

Presented for the City Council's consideration are the following items that include a one-time lump sum payment for the respective employees: (1) Resolution for the Management/Confidential Employees to receive a one-time payment, (2) Resolution for the Executive Group Employees to receive a one-time payment, (3) Sixth Amendment to the City Attorney/Legal & Risk Management Director Employment Contract, and (4) First Amendment to the City Manager Employment Contract.

RECOMMENDED ACTION:

That the City Council:

- a. Approve the Side Letter of Agreement extending the current Corona Firefighters Association Memorandum of Understanding from June 30, 2021, to December 31, 2021.
- b. Approve the Side Letter of Agreement extending the current Corona Police Officers' Association (Corona Police Employees Association and Corona Police Supervisors Association) Memorandum of Understanding from June 30, 2021, to December 31, 2021.

- c. Adopt Resolution No. 2021-098 to approve the City of Corona Position Library and Compensation Plan and repeal prior plans, including Resolution No. 2021-049.
- d. Adopt Resolution No. 2021-096 providing a one-time lump sum payment to non-represented Management/Confidential Group Employees.
- e. Adopt Resolution No. 2021-097 providing a one-time lump sum payment to non-represented Executive Group Employees.
- f. Approve Sixth Amendment to City Attorney/Legal & Risk Director Employment Agreement.
- g. Approve First Amendment to the City Manager Employment Agreement.

BACKGROUND & HISTORY:

The California Meyers-Millias-Brown-Act (MMBA) requires the City to meet and confer, in good faith, with its bargaining groups on all matters relating to employment conditions and employer-employee relations including but not limited to wages, hours, and other terms and conditions of employment.

Pursuant to the MMBA, the City began negotiations with the employee associations in April 2021. The current Memorandum of Understanding (MOU) agreements for the Corona Firefighters Association (CFA), Corona Police Employees Association (CPEA), and Corona Police Supervisors Association (CPSA) expired on June 30, 2021. The Parties are currently negotiating for successor MOUs and believe the process will take additional time beyond the expiration of the respective MOUs, as the negotiations involve both significant re-writes to MOU provisions as well as consideration of a classification and compensation study that the City had a consultant prepare in anticipation of negotiations.

The CFA group has agreed to an extension of their MOU from June 30, 2021, to December 31, 2021. The CPEA and CPSA groups have agreed to an extension of their MOUs from June 30, 2021, to December 31, 2021, subject to ratification of their membership. Based on the agreement to extend the respective MOUs and the conditions in the Side Letters of Agreement, updates are needed to the City's Position Library and Compensation Plan.

Based on the July 7, 2021 approval of the Corona General Employees Association (CGEA) Side Letter of Agreement, staff is recommending a one-time lump sum payment for the non-represented employees included in the Management/Confidential Group, Executive Employees Group, the City Attorney/Legal & Risk Management Director, and the City Manager.

ANALYSIS:

Side Letter of Agreement with the CFA:

Members of the CFA and the City's labor negotiating team have met in good faith and have reached an agreement on the attached Side Letter of Agreement.

Terms of the CFA Side Letter of Agreement:

- a. The City and CFA agree that the expiration date of the current CFA MOU is extended from June 30, 2021, to December 31, 2021.
- b. The City agrees that each classification represented by CFA will receive a base salary increase of five percent (5%) effective on the first day of the pay period following City Council approval of this Agreement.
- c. CFA Agrees in its entirety to the proposal regarding health insurance updates that the City made dated May 19, to Section 4.4 - Health Insurance, including subsection 4.4.1. The changes to Section 4.4 will go into effect on August 1, 2021. Section 4.4 (shown in track changes) are attached as Exhibit A in the Side Letter of Agreement.

Side Letter of Agreement with CPOA (CPEA and CPSA):

Members of CPEA, CPSA, and the City's labor negotiating team have met in good faith and have reached an agreement on the attached Side Letter of Agreement, subject to ratification of the employee group.

Terms of the CPOA Side Letter of Agreement:

- a. The City, CPEA, and CPSA agree that the expiration date of the current MOUs is extended from June 30, 2021, to December 31, 2021.
- b. The City agrees that each classification represented by CPEA and CPSA will receive a base salary increase of two and one-half percent (2.5%) effective on the first day of the pay period following City Council approval of this Agreement.

Resolution No. 2021-098 - Position Library and Compensation Plan

State regulations for public employers require disclosure of position classifications and corresponding compensation. In an effort to ensure compliance, and for even greater transparency, the City Council has previously adopted and updated the Position Library and Compensation Plan, a document which includes a list of all authorized employment positions for the City and their corresponding compensation ranges (Plan).

The Plan provides added organizational efficiency and permits departments to continue streamlining operations without impacting service levels. Additionally, it allows members of the public to see what any given position, even those not currently filled, would be paid. To this end, it is important to note that this document is strictly a resource document of available employment positions, as the positions listed will not necessarily be budgeted or funded in any given fiscal year. A current list of full-time budgeted positions can be located on the City's website.

Revisions to the Plan are highlighted on the attached redline version with the highlight colors varying based on the reason for the change. Revisions are being requested to update compensation ranges (green). The ranges for the positions represented in the CFA group will be increased by ten (10) steps, based on the Side Letter of Agreement. New footnote "F" was added to indicate the compensation range changes will be effective the first full pay period following July 21, 2021.

Resolution No. 2021-096 - Management/Confidential Group Employees

Staff is recommending that employees in the non-represented Management/Confidential Group receive a one-time lump sum payment equivalent to two percent (2%) of each employee's base salary. The one-time payment is similar to the Side Letter of Agreement approved for the Corona General Employees Association (CGEA) on July 7, 2021.

Terms of Resolution No. 2021-096:

- a. On or before July 30, 2021, the City shall pay a one-time lump sum payment equivalent to two percent (2%) of the employee's base salary to each Management/Confidential Group employee who was employed as of July 21, 2021.
- b. No "Roll-Up" Effect. The one-time payment shall not be included in an employee's base rate of pay for purposes of calculating Holiday Pay (Article V, Resolution No. 2020-008), Overtime (Section 7.6, Resolution No. 2020-008), Tier I Longevity Pay (Section 7.9, Resolution No. 2020-008), Bilingual Pay (Section 7.10, Resolution No. 2020-008), Working Out of Class Pay (Section 7.14, Resolution No. 2020-008), Annual Leave Buyback (Section 6.10, Resolution No. 2020-008), or any other form of additional or special compensation provided in Resolution No. 2020-008.
- c. The approval of Resolution No. 2021-096 shall not be construed as a repeal of Resolution No. 2020-008 and Resolution No. 2020-008 shall continue in full force and effect.

Resolution No. 2021-097 - Executive Group Employees

Staff is recommending that employees in the non-represented Executive Group receive a one-time lump sum payment equivalent to two percent (2%) of each employee's base salary. The one-time payment is similar to the Side Letter of Agreement approved for the Corona General Employees Association (CGEA) on July 7, 2021.

Terms of Resolution No. 2021-097:

- a. On or before July 30, 2021, the City shall pay a one-time lump sum payment equivalent to two percent (2%) of the employee's base salary to each Executive Group employee who were employed as of July 21, 2021.
- b. No "Roll-Up" Effect. The one-time payment provided pursuant to Section 1 above shall not be included in an employee's base rate of pay for purposes of calculating Holiday Pay (Article V, Resolution No. 2020-007), Tier I Longevity Pay (Section 7.7, Resolution No. 2020-007), Bilingual Pay (Section 7.8, Resolution No. 2020-007), Working Out of Class Pay (Section 7.10, Resolution No. 2020-007), Annual Leave Buyback (Section 6.9, Resolution No. 2020-007), or any other form of additional or special compensation provided in Resolution No. 2020-007.
- c. The approval of Resolution No. 2021-097 shall not be construed as a repeal of Resolution No. 2020-007 and Resolution No. 2020-007 shall continue in full force and effect.

Sixth Amendment to the City Attorney Employment Agreement:

In connection with the above revisions for the non-represented Executive Group Employees, an

amendment to the City Attorney/Legal & Risk Management Director Employment Agreement is being presented to incorporate the one-time lump sum payment included in Resolution No. 2021-097. In order to avoid automatic adjustments, the compensation and benefits that are provided to the City Attorney/Legal & Risk Management Director are tied to the Executive Resolution that was in effect when the Employment Agreement was approved or amended by the City Council. Therefore, it is necessary to update the reference in the Employment Agreement to the version of the Executive Group Employee Resolution that is presented for approval as part of this agenda item (Resolution No. 2021-097) so that changes apply to the City Attorney/Legal & Risk Management Director.

First Amendment to the City Manager Employment Agreement:

In connection with the above revisions for the non-represented Executive Group Employees, an amendment to the City Manager Employment Agreement is being presented to incorporate the one-time lump sum payment included in Resolution No. 2021-097. In order to avoid automatic adjustments, the compensation and benefits that are provided to the City Manager are tied to the Executive Resolution that was in effect when the Employment Agreement was approved or amended by the City Council. Therefore, it is necessary to update the reference in the Employment Agreement to the version of the Executive Group Employee Resolution that is presented for approval as part of this agenda item (Resolution No. 2021-097) so that changes apply to the City Manager.

FINANCIAL IMPACT:

The financial impact of the Side Letter of Agreement with CFA is estimated to cost \$822,405 in Fiscal Year 2022. All positions in the CFA group are budgeted in the General Fund. The estimated pro-rated and recurring costs are shown in the following table.

	FY 2022 (Pro-rated)	FY 2023	FY 2024
CFA	\$ 822,405	\$ 902,580	\$ 905,525

The financial impact of the Side Letter of Agreement with CPOA (CPEA and CPSA) is estimated to cost \$574,445 in Fiscal Year 2022. All positions in the CPEA and CPSA groups are budgeted in the General Fund. The estimated pro-rated and recurring costs are shown in the following table, with a breakdown by the two employee groups shown collectively as CPOA in the Side Letter of Agreement.

	FY 2022 (Pro-rated)	FY 2023	FY 2024
CPEA	\$ 420,450	\$ 492,550	\$ 493,805
CPSA	153,995	179,605	179,155
CPOA Totals	\$ 574,445	\$ 672,155	\$ 672,960

The financial impact of the one-time payment for the non-represented employees is estimated to be \$150,873, based on active employees at the time this report was prepared. The total cost includes

the Medicare and Unemployment Insurance contributions. The following is a breakdown by funding source:

GROUP	General Fund	DWP Funds	Other Funds	Total
Management/Confidential	\$ 65,892	\$ 14,223	\$ 15,780	\$ 95,895
Executive Group	37,101	3,717	4,331	45,149
City Attorney	4,841			4,841
City Manager	4,988			4,988
Totals	\$ 112,822	\$ 17,940	\$ 20,111	\$ 150,873

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. When it can be seen with certainty there is no possibility that approval of the recommended actions may have a significant effect on the environment, the action is not subject to CEQA. This action merely approves a Side Letter of Agreement, Resolutions, and Employment Contracts and there is no possibility that adopting these items will have a significant effect on the environment. Therefore, no environmental analysis is required.

PREPARED BY: ANGELA RIVERA, CHIEF TALENT OFFICER

Attachments:

1. Exhibit 1 - Side Letter of Agreement Between the City of Corona and Corona Fire Association
2. Exhibit 2 - Side Letter of Agreement Between the City of Corona and Corona Police Officers' Association
3. Exhibit 3 - Resolution No. 2021-096 Management Confidential
4. Exhibit 4 - Resolution No. 2021-097 Executive
5. Exhibit 5 - Resolution No. 2021-098 (Position Library) Clean
6. Exhibit 6 - Position Library and Compensation Plan (Redline)
7. Exhibit 7 - Sixth Amendment to Employment Agreement for City Attorney
8. Exhibit 8 - First Amendment to Employment Agreement for City Manager