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# CITY OF POMONA COUNCIL REPORT

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October 4, 2021

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Linda Matthews, Human Resources/Risk Management Director

**SUBJECT: ADOPTION OF RESOLUTIONS APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE OFFICERS' ASSOCIATION, INC. (PPOA) FROM JULY 1, 2021 THROUGH AUGUST 31, 2023**

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## **RECOMMENDATION:**

It is recommended that the City Council adopt the following resolutions:

**RESOLUTION NO. 2021-135 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING, RATIFYING, AND ORDERING IMPLEMENTATION OF A TWENTY-SIX MONTH MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE OFFICERS' ASSOCIATION, INC. FROM JULY 1, 2021 THROUGH AUGUST 31, 2023**

**RESOLUTION NO. 2021-136 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA AMENDING THE CITY OF POMONA'S SALARY SCHEDULE FOR FISCAL YEAR 2021-22 TO MEET THE CALIFORNIA CODE OF REGULATIONS TITLE 2, SECTIONS 570.5 AND 571 TO ADD GENERAL INCREASES TO SWORN CLASSIFICATIONS IN THE POMONA POLICE OFFICERS' ASSOCIATION, INC.**

**EXECUTIVE SUMMARY:** The Pomona Police Officers' Association, Inc. (PPOA) represents sworn Police Officers up through the rank of Sergeant. Approval of the proposed resolutions (Attachments 1 and 2) will result in a two-year successor Memorandum of Understanding (MOU) with both PPOA and PPMA from July 1, 2021 through August 31, 2023. The change to terms include salary of increases of three percent (3%) in October 1, 2021 and two and one-half (2.5%) effective October 1 2022; increases to Section 125 Benefit Plan contributions to help offset the increasing cost of medical insurance; a \$6,000 one-time payment to each employee in October 2021; adding Longevity Pay for employees completing 10 and 15 years of service; and other various terms as described herein.

**FISCAL IMPACT:** The estimated on-going incremental annualized cost for the new terms is \$1.43M for the first year of the agreement and \$744k for the second year of the agreement, of which virtually all (99.6%) is from the General Fund and the remaining is from grant funds. In addition, there are one-time costs of \$1.29M in Fiscal Year 2021-22, which will be funded by a combination of American Rescue Plan funds (\$920k) and the General Fund (\$375k). The \$920k is for one-time payments and will need to be added to the American Rescue Plan (ARP) expenditure spending plan. The \$375k is related to the Leave Bank buyback program. Necessary budget amendments for FY 2021-22 will be presented to the City Council for approval as part of the General Fund 1<sup>st</sup> Quarter Budget Review in November. At that time American Rescue Plan (ARP) expenditure spending plan will need to be updated to account for these funds. Future costs for this agreement will be budgeted for in the appropriate fiscal year.

**DISCUSSION:**

The Pomona Police Officers' Association, Inc. (PPOA) represents sworn Police Officers up through the rank of Sergeant. The current MOU with PPOA expired June 30, 2021. The terms and conditions of the MOU continue in effect until a successor MOU is approved. The City met and conferred with PPOA regarding terms and conditions of employment. These negotiations resulted in a tentative agreement with PPOA, which are being presented to the City Council for approval in Attachment 1. The key terms of the MOU are described below.

Term - The term will be for twenty-six (26) months from July 1, 2021 to August 31, 2023.

Salary - 3% salary increase effective October 1, 2021 and another 2.5% increase effective October 1, 2022.

Section 125 Cafeteria Plan Contributions - Section 125 Benefit Plan contribution may be used to pay for medical, dental or vision insurance premiums, with any remaining amount paid as taxable cash. The contributions will increase as follows:

Level of Coverage	December 2021	December 2022
Two-party	\$100 (to \$525)	\$100 (to \$625)
Family	\$200 (to \$825)	\$200 (to \$1025)

Holidays - Effective beginning calendar year 2022, the list of holidays observed shall be modified to add Juneteenth (June 19).

One-time Payments – A one-time payment of \$6,000 will be provided on November 4, 2021 to all employees in a paid status in the pay period the payment is made.

Bilingual Pay – Remove the requirement that an employee pass probation to receive the bilingual pay and continue discussing qualification/testing process for receiving bilingual pay.

Longevity Pay – Effective October 10, 2021, 2.5% longevity pay will be provided to employees with 10 years of service and 5% longevity pay will be provided to employees with 15 years of service. Prior sworn service counts for purposes of longevity pay, consistent with current MOU provisions.

On-Call Compensation - Effective November 21, 2021, on-call compensation for Off Duty Court and Investigative duty may be taken in pay or accrued to the On-call Leave Bank, at the employee's discretion instead of accruing about half as pay and half as compensatory time. Any leave accrued above the on-call leave bank cap shall be compensated in pay.

Leave Bank - Effective November 22, 2020, the maximum accrual balance was set at 666.57. Effective the pay period beginning November 21, 2021, the maximum accrual balance shall be reduced to 80 hours. Any leave previously accrued above the 80 hours as of November 20, 2021 shall be cashed out at the regular rate as defined in Section IV(C) by the first pay day in December. Annual buyback program will be discontinued. All other requirements for the leave remain the same.

Tuition Reimbursement – The City shall add a tuition reimbursement program of up to \$1,500 per fiscal year for job-related professional improvement courses or required courses in a job related degree program offered at any accredited academic institution.

Retirement Health Savings Plan – The parties shall meet to jointly explore various options for Retirement Health Savings Plans, for possible implementation in calendar year 2022 or other mutually agreeable date. The intent is for the Plan to be funded by employees.

Salary Step Progression – Employees entering the Unit on or after October 10, 2021 will be eligible to receive an increase to step 2 after 12 months of service instead of after 6 months of service.

In addition, other minor language changes are being made to correct an outdated municipal City Code section in the Preamble and updating the Field Training Officer compensation provision to remove an obsolete reference to consecutive shifts. In addition, the parties agree to continue to discuss the Association's proposal to provide each member the option to donate additional accrued vacation leave to the association leave bank, which is used to provide Police Association representative hours for the purposes of meeting and conferring with the City or other related labor relations business; and an agreement to re-open negotiations if another represented unit receives a greater salary increase or one-time payment than PPOA. The complete MOU for PPOA is included as Attachment 1, Exhibit A and shows of all the changes, with new language underlined and old language shown with a strikethrough.

#### **COUNCIL PRIORITIES & GOALS:**

This item supports the 2021-2022 City Council Priority 3: Safe and Clean Community – Goal M: Improve safety and cleanliness at parks and public spaces; and Goal N: Take actions to eliminate prostitution, human trafficking, and gang-related violence.

Prepared by: Linda Matthews, Human Resources/Risk Management Director

#### **ATTACHMENT(S):**

Attachment No. 1 – Resolution No. 2021-135

Exhibit A – Memorandum of Understanding with the Pomona Police Officers' Association

Attachment No. 2 – Resolution No. 2021-136

Exhibit A – Citywide Salary Schedule