



DISCUSSION ITEM

Agenda Item # 5

AGENDA REPORT SUMMARY

Meeting Date: May 26, 2020

Subject: Resolution No. 2020-15: Side Letter Agreement between City and Los Altos Municipal Employee Association (LAMEA)

Prepared by: Jennifer Leal, Human Resources Manager

Reviewed by: Chris Jordan, City Manager

Approved by: Chris Jordan, City Manager

Attachment(s):

1. Resolution 2020-15
2. Side Letter Agreement to extend Memorandum of Understanding (MOU) June 30, 2020 – December 31, 2020

Initiated by:

Staff

Previous Council Consideration:

March 24, 2020

Fiscal Impact:

FY 2020/21: \$108,251

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the Council wish to adopt Resolution 2020-15 and the terms within the Side Letter Agreement reached by the City and LAMEA?

Summary:

- The current MOU between City of Los Altos & LAMEA will expire on June 30, 2020
- Negotiations between the City and LAMEA representatives for a successor MOU were set to begin when the outbreak and spread of COVID-19 occurred
- On March 16, 2020, the Santa Clara County Public Health Officer and Board of Supervisors declared a local health emergency and instituted a shelter in place order
- City representatives and LAMEA representatives held a video conference meeting on March 31, 2020 to discuss postponing negotiations due to the national, state and local emergency that has resulted from COVID-19
- LAMEA members ratified a Side Letter Agreement on April 28, 2020



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- The Side Letter Agreement provides for a six-month extension of the current MOU expiring on June 30, 2020 and extends the agreement to December 31, 2020

Staff Recommendation:

Move to approve Resolution 2020-15 and the terms outlined in the Side Letter Agreement between City of Los Altos & LAMEA, which includes a six-month extension of their MOU set to expire on June 30, 2020



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Purpose

Approve the recommended terms of a Side Letter Agreement extending the current MOU set to expire on June 30, 2020 with an expiration date of December 31, 2020 and to postpone negotiations due to the national, state and local emergency that has resulted from COVID-19 to provide additional time to negotiate a successor MOU.

Background

The MOU between City of Los Altos & LAMEA will expire on June 30, 2020. Representatives from the City and LAMEA met and conferred in good faith to reach an agreement on a Side Letter Agreement for the Council's approval.

The parties reached a tentative agreement on the Side Letter Agreement on March 31, 2020. LAMEA members successfully ratified the tentative agreement for a Side Letter Agreement to extend their current MOU on April 28, 2020. Final approval of the Side Letter Agreement is now before Council.

Discussion/Analysis

The Side Letter Agreement will take effect upon the City Council's adoption and the six-month extension of their MOU will expire on December 31, 2020. Among the terms of this side letter are:

- Pay increases of 2.0- 3.0% effective the first full pay period that includes July 1, 2020 based on the April 2020 12-month Consumer Price Index, San Francisco Area, by the U.S. Department of Labor Bureau of Labor Statistics

Options

- 1) Adopt Resolution 2020-15 Side Letter Agreement to extend the Memorandum of Understanding (MOU) between City of Los Altos & LAMEA; six-month agreement.

Advantages: The parties have met and conferred in good faith in accordance with the Meyers Milias Brown Act (MMBA) to reach a Side Letter Agreement for a six-month extension of the current MOU. This Side Letter Agreement postpones negotiations and extends the current MOU due to the national, state, and local emergency that has resulted from COVID-19.

Disadvantages: None. Parties have mutually reached this Side Letter Agreement in accordance with the MMBA.

- 2) Do not approve the Side Letter Agreement between City of Los Altos & LAMEA.

Advantages: The City will continue to operate under the soon to be expired and existing MOU until both parties are able to meet and confer in a timely manner and



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the matter is returned at the conclusion of those processes for Council's final determination.

Disadvantages: Overturns the tentative agreement by the negotiating parties and ratification from LAMEA membership. Will not achieve an extension for the current MOU.

Recommendation

The staff recommends Option 1.

RESOLUTION NO. 2020-15

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS TO
ADOPT THE SIDE LETTER TO EXTEND THE MEMORANDUM OF
UNDERSTANDING WITH LOS ALTOS MUNICIPAL EMPLOYEE ASSOCIATION**

WHEREAS, Los Altos Municipal Employee Association (LAMEA) Memorandum of Understanding dated July 1, 2017 – June 30, 2020 will expire on June 30, 2020; and

WHEREAS, representatives from the City and Los Altos Municipal Employee Association met and conferred in good faith to reach a Side Letter Agreement; and

WHEREAS, the parties reached an agreement on March 31, 2020; and

WHEREAS, on April 28, 2020, members of the Los Altos Municipal Employee Association ratified the Side Letter Agreement for a six-month extension of the current Agreement.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby:

1. Approves the Side Letter Agreement to extend the current Memorandum of Understanding (MOU) with Los Altos Municipal Employee Association for the term of the side letter agreement from June 30, 2020 through December 31, 2020 attached to this resolution as Exhibit A. Unless otherwise noted, all changes shall take effect the first full pay period including July 1, 2020 after Union ratification and adoption of this Side Letter Agreement; and
2. Approves the following adjustments to the benefit package for LAMEA members, effective the first full pay period including July 1, 2020:
 - a. Salary: effective the first full pay period that includes July 1, 2020, base salary (defined as base pay only) shall be increased by the April 2020 12-month Consumer Price Index, San Francisco Area, by the U.S. Department of Labor Bureau of Labor Statistics (minimum of 2% and maximum of 3%)

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the ___ day of ____, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jan Pepper MAYOR

Attest:

Andrea Chelemengos, MMC, CITY CLERK

LETTER OF AGREEMENT

CITY OF LOS ALTOS

AND

THE LOS ALTOS MUNICIPAL EMPLOYEE ASSOCIATION

This Letter of Agreement (Agreement) between the City of Los Altos (City) and the Los Altos Municipal Employee Association (Association) (collectively “Parties”) is entered into with respect to the following:

WHEREAS, the current Memorandum of Understanding (MOU) between Parties is currently set to expire on June 30, 2020;

WHEREAS, the Parties were set to begin negotiations over a successor MOU in March 2020; and

WHEREAS, on March 4, 2020, the Governor of California declared a State of Emergency due to the outbreak and spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency concerning COVID-19 outbreak; and

WHEREAS, on March 16, 2020, the Santa Clara County Public Health Officer and the Board of Supervisors declared a local health emergency in response to COVID-19; and

WHEREAS, on March 16, 2020, the Santa Clara County Public Health Officer and the Board of Supervisors declared a local health emergency in response to COVID-19 and instituted a shelter in place order; and

WHEREAS, on March 31, 2020, the Santa Clara County Public Health Officer extended the shelter in place order to May 3, 2020; and

WHEREAS, the Parties have agreed to postpone negotiations and extend the current MOU due to the national, state, and local emergency that has resulted from COVID-19;


WHEREAS, the Parties have agreed that Association members will receive a Cost of Living Increase effective July 1, 2020;

WHEREAS, the following memorializes the Parties’ Agreement:

1. The term of the MOU is extended from June 30, 2020 to December 31, 2020; and
2. Effective the first full pay period that includes July 1, 2020, base salary (defined as base pay only) shall be increased by the April 2020 12-month Consumer Price Index, San Francisco Area, by the U.S. Department of Labor Bureau of Labor Statistics (minimum of 2% and maximum of 3%);


3. This Agreement is effective upon ratification by the Association membership and subsequent approval of the Los Altos City Council.

FOR THE CITY OF LOS ALTOS


Chris Jordan, City Manager

5/1/2020
Date

FOR THE LOS ALTOS MUNICIPAL EMPLOYEE ASSOCIATION


Sean Gallegos, President

4-28-20
Date