



CONSENT CALENDAR

Agenda Item # 3

AGENDA REPORT SUMMARY

Meeting Date: January 12, 2021

Subject: Resolution 2021-01: A Side Letter Agreement between City of Los Altos & Los Altos Municipal Employee Association (LAMEA); Six-Month Extension of Memorandum of Understanding (MOU)

Prepared by: Jennifer Leal, Human Resources Manager

Reviewed by: Jon Maginot, Acting City Manager

Approved by: Jon Maginot, Acting City Manager

Attachment(s):

- Resolution 2021-01
- Side Letter Agreement to extend Memorandum of Understanding (MOU) December 31, 2020 – June 30, 2021

Initiated by:

Staff

Previous Council Consideration:

Closed session on October 27, 2020

Fiscal Impact:

None

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the Council wish to adopt Resolution 2021-01 and the terms within the Side Letter Agreement reached by the City and LAMEA?

Summary:

- The current MOU and Side letter agreement between City of Los Altos & LAMEA expired on December 31, 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
- City representatives and LAMEA representatives discussed postponing negotiations due to the national, state and local emergency that has resulted from COVID-19
- LAMEA members ratified a Side Letter Agreement on December 14, 2020
- The Side Letter Agreement provides for a six-month extension of the current MOU expiring on December 31, 2020 and extends the agreement to June 30, 2021



Subject: Resolution 2021-01: A Side Letter Agreement between City of Los Altos & Los Altos Members Employee Association (LAMEA); Six-Month Extension of Memorandum of Understanding (MOU)

Staff Recommendation:

Move to approve Resolution 2021-01 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 December 31, 2020



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Purpose

Approve the recommended terms of a Side Letter Agreement extending the MOU set to expire on December 31, 2020 with an expiration date of June 30, 2021 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 December 31, 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.

LAMEA members successfully ratified the tentative agreement for a Side Letter Agreement to extend their current MOU on December 14, 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 June 30, 2021. Among the terms of this side letter are:

- The Parties agree to resume negotiations no later than March 15, 2021

Options

- 1) Adopt Resolution 2021-01 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.



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Advantages: The City will continue to operate under the expired and existing MOU 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.

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. 2021-01

**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 expired on June 30, 2020; and

WHEREAS, Los Altos Municipal Employee Association (LAMEA) reached a Side Letter Agreement to extend the MOU through December 31, 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, on December 14, 2020, members of the Los Altos Municipal Employee Association ratified the Side Letter Agreement for an additional six-month extension of the current Agreement through June 30, 2021.

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 December 31, 2020 through June 30, 2021 attached to this resolution as Exhibit A

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 12th day of January 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, CMC, CITY CLERK

SIDE 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 referred to as "Parties") is entered into with respect to the following:

WHEREAS the 2017-2020 Memorandum of Understanding (MOU) between the Parties was set to expire on June 30, 2020;

WHEREAS the Parties agreed to extend the 2017-2020 MOU to December 31, 2020;


WHEREAS per the Parties' agreement, all Association members received a 2% salary increase effective July 1, 2020;

WHEREAS the Parties have agreed to postpone negotiations and extend the current MOU to June 30, 2021;

The Parties hereby agree to the following:

1. The term of the MOU is extended from December 31, 2020 to June 30, 2021; and
2. The Parties agree to resume negotiations no later than March 15, 2021; and
3. This Agreement is effective upon ratification by the Association and subsequent approval of the Los Altos City Council.

FOR THE CITY OF LOS ALTOS


Jon Maginot (Dec 17, 2020 16:30 PST)

Jon Maginot, Acting City Manager

12/15/20

Date

FOR THE LOS ALTOS MUNICIPAL EMPLOYEE ASSOCIATION



Sean Gallegos, LAMEA President

12/14/2020

Date