

RESOLUTION NO. 4259-2020

RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING THE SIDE LETTER AGREEMENT WITH THE FORT BRAGG POLICE ASSOCIATION AND AUTHORIZING CITY MANAGER TO EXECUTE SAME

WHEREAS, the City and the Fort Bragg Police Association (FBPA) commenced negotiations on April 8, 2019 for a new two-year Memorandum of Understanding (MOU); and

WHEREAS, the sessions concluded on June 5, 2019, when the parties agreed to an agreement package, which was ratified by the FBPA membership; and

WHEREAS, the new MOU was approved by the City Council on June 10, 2019; and

WHEREAS, on March 13, 2020, the President of the United States issued a proclamation declaring the COVID-19 outbreak in the United States as a national emergency, beginning March 1, 2020; and

WHEREAS, the Governor of the State of California and the Public Health Officer of the County of Mendocino have both issued Shelter-in-Place orders to combat the spread of COVID-19; and

WHEREAS, on March 17, 2020 the City Manager, as the City's Director of Emergency Services, issued Proclamation No. CM-2020-01 declaring a local emergency as authorized by Government Code section 8630 and Fort Bragg Municipal Code section 2.24.040(B); and

WHEREAS, the City, County and State economies have been significantly impacted by the shutdown of nonessential businesses as a result of the Shelter-in-Place orders; and

WHEREAS, the City found it necessary to reduce staff levels through a combination of layoffs and furloughs; and

WHEREAS, the Fort Bragg Sworn Police Officers voluntarily agreed to forgo special pays in order to reduce public safety expenditures for the City; and

WHEREAS, the value of those special pays is approximately \$88,000.

WHEREAS, based on all of the evidence presented, the City Council finds as follows:

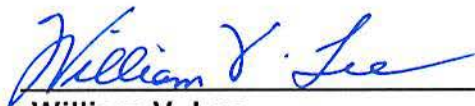
1. That by voluntarily forgoing special pays, the Sworn Officers of the Fort Bragg Police Association have provided a valuable and much appreciated contribution to reducing the City's budget without impacting public safety services in Fort Bragg.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve the Side Letter, effective May 24, 2020, to the Memorandum of Understanding with the Fort Bragg Police Association and authorizes the City Manager to execute same.

The above and foregoing Resolution was introduced by Councilmember Peters, seconded by Councilmember Morsell-Haye, and passed and adopted at a regular

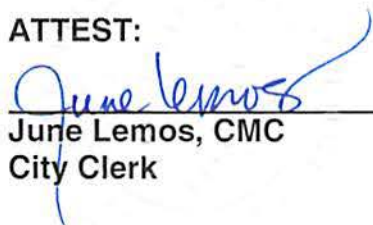
meeting of the City Council of the City of Fort Bragg held on the 26th day of May, 2020, by the following vote:

AYES: Councilmembers Albin-Smith, Morsell-Haye, Norvell, Peters and Mayor Lee.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSE: None.



William V. Lee,
Mayor

ATTEST:



June Lemos, CMC
City Clerk



Fort Bragg Police Association
P.O. Box 368
Fort Bragg, CA 95437

Proposed Side Letter Title: Salary Reductions due to reduced City income as a result of the COVID 19 Pandemic.

Related MOU Articles(s): Article V Compensation

Date: May 24, 2020

Association interest:

The Fort Bragg Police Association recognizes the City of Fort Bragg's current financial hardships, and further recognizes that there needs to be a city-wide effort to shorten the approximately \$1,400,000 budget deficit which is projected for the upcoming fiscal year.

Association proposes:

The Association proposes that all employees covered under the current MOU, suspend the following premium incentive pay for one (1) calendar year, effective on the day these side letters are agreed to and signed by The City of Fort Bragg, and the Fort Bragg Police Association. Sworn Staff (Police Officer) and (Police Sergeant) do not agree to suspend any step increases, or increases in base salary as a result of P.O.S.T Certificate status change.

1. FTO Pay
2. Bilingual Pay
3. Shift Differential Pay
4. Relief Shift Pay
5. K-9 Officer Pay
6. Standby Pay
7. Officer in Charge Pay
8. Motor Officer Pay
9. Detective Pay
10. Call Back Pay, will be reduced from a rate of 2.0 times the employee's regular rate of pay to 1.5 times the employee's regular rate of pay.

The association requests that the City of Fort Bragg agree to increase all sworn employees covered under the current MOU vacation time by rounding up to the next whole number and adding one (1) hour of additional hour to that number for the duration of this side letter. The cap on the vacation accrual bank will be increased to 450 total hours, while this side letter is in effect. The sworn employee will not be forced to take vacation, or lose any accrued hours upon the expiration of this side letter. Employees covered under the current MOU will also have the option to have hours accrued in their Compensatory Time Off bank to be paid out in a separate check on the first pay period of each quarter of the Fiscal Year.

This proposal will be effective from 05/24/2020 to 05/23/2021.

FOR THE CITY OF FORT BRAGG:

DATE: _____

TABATHA MILLER
CITY MANAGER

DATE: _____

ATTEST:

JUNE LEMOS, CMC
CITY CLERK

FOR THE FORT BRAGG POLICE
ASSOCIATION, INC.:

DATE: _____

ANTHONY MELENDEZ
ACTING PRESIDENT

DATE: _____

OSCAR LOPEZ
ACTING VICE PRESIDENT