

RESOLUTION NO. 2022-152

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AUTHORIZING THE CITY MANAGER TO EXECUTE A SIDE LETTER AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MARINA AND THE MARINA DIRECTORS

WHEREAS, on January 19, 2022, the City Council adopted Resolution No. 2022-09 approving a Memorandum of Understanding (MOU) with the Marina Directors; and,

WHEREAS, the MOU included a 2-year agreement spanning July 1, 2021 to June 30, 2023. The agreement called for a 2.5% cost of living adjustment for FY 21/22 and a variable cost of living adjustment for FY 22/23 based upon the April 2022 SF/Oakland CPI but not less than 2% and not more than 3.5%; and,

WHEREAS, the CPI adjustments included in the Marina Directors MOU were substantially the same as all other bargaining unit MOUs that were negotiated in 2021/2022. Recently, the City Council approved an amendment to the Marina Professional Fire Fighters Association (MPFFA) MOU that increased the second year CPI increase to 4%. This second year CPI of 4% was also approved for the Marina Employees Association in their recent MOU that was adopted; and,

Whereas, the City wishes to enter into a Side Letter Agreement to the City of Marina and the Marina Directors that will authorizing an adjustments to the 2nd year CPI increase to 4% (“**EXHIBIT A**”), and,

WHEREAS, the City of Marina and the Marina Directors have met and conferred in good faith regarding the provisions of the proposed Side Letter Agreement; and

WHEREAS, all other terms of the Memorandum of Understanding remain unchanged; and,

WHEREAS, Government Code section 54953(c)(3) requires that, before taking final action, the Board of Directors must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executives; and,

WHEREAS, on March 1, 2022, the City Council received an oral report on the changes to executive compensation and approved this comprehensive memorializing the changes.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina do hereby:

1. Adopt Resolution No. 2022- authorizing the City Manager to execute a Side Letter Agreement to the Memorandum of Understanding between the City of Marina and the Marina Directors; and,
2. Authorize adjustments to the City’s Salary Schedule and Compensation Plan, and,
3. Authorize Finance Director to make appropriate accounting and budgetary entries

PASSED AND ADOPTED, by the City Council of the City of Marina at a regular meeting duly held on the 6th day of December 2022, by the following vote:

AYES: COUNCIL MEMBERS: McCarthy, Visscher, Medina Dirksen, Biala, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

Director Salary Broadband Effective 7/4/2022

Table 1. Director's Monthly Broadband Salary Range

<u>Position</u>	<u>Proposed Monthly Broadband Range with 4 % COLA</u>
Assistant City Manager Community Development Director Finance Director Fire Chief Police Chief Recreation Director Public Works Dir/City Engineer	\$11,175 - \$19,080

Table 2. 2022/23 Executive Compensation Summary

Salary Table*	
<u>Position</u>	<u>Monthly Salary</u>
Assistant City Manager	\$17,293.12
Community Development Dir.	\$15,411.75
Finance Director	\$14,034.81
Fire Chief	\$17,061.18
Police Chief	\$17,663.36
PW Director/Engineer	\$15,919.26

***Due to potential rounding errors actual published salary schedule may differ slightly**

**SIDE LETTER OF AGREEMENT TO MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF MARINA AND THE
MARINA DIRECTORS**

This Side Letter of Agreement (“SLA”) is entered into by and between the City of Marina (“City”) and the Marina Directors. It is the purpose of this SLA to supplement the July 1, 2021 – June 30, 2023 Memorandum of Understanding (“MOU”) between the City and the Marina Directors as set forth in this SLA. This SLA reflects the results of an agreement negotiated by representatives of the Directors and that of the administration of the City.

The City and the Marina Directors hereby Agree to amend Section 1 of the MOU by adding the following language to the existing section:

Beginning with the first full pay period following ratification of this SLA, all unit classifications shall have their general salary increased by 0.5% to equal a total of 4% for the second-year general salary increase. The new pay rates will be as follows:

Salary Table*

<u>Position</u>	<u>Monthly Broadband Range</u>
Assistant City Manager Community Development Director Finance Director Fire Chief Police Chief Recreation Director Public Works Dir/City Engineer	\$11,175 - \$19,080

***Due to potential rounding errors actual published salary schedule may differ slightly**

IT IS SO AGREED:

CITY OF MARINA

DIRECTORS REPRESENTATIVE

By:_____

By:_____

Date:_____

Date:_____

DIRECTORS REPRESENTATIVE

By:_____

Date:_____

DIRECTORS REPRESENTATIVE

By:_____

Date:_____

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DIRECTORS REPRESENTATIVE

By:_____

Date:_____

DIRECTORS REPRESENTATIVE

By:_____

Date:_____

DIRECTORS REPRESENTATIVE

By:_____

Date:_____

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of December 6, 2022

**APPROVAL OF A SIDE LETTER AGREEMENT TO THE MEMORANDUM
OF UNDERSTANDING BETWEEN THE CITY OF MARINA AND THE
MARINA DIRECTORS; AND AUTHORIZING AN ADJUSTMENT TO THE
2ND YEAR COLA INCREASE**

REQUEST:

It is recommended that the City Council consider:

1. Adopting Resolution No. 2022- authorizing the City Manager to execute a Side Letter Agreement to the Memorandum of Understanding between the City of Marina and the Marina Directors; and,
2. Authorizing adjustments to the City's Salary Schedule and Compensation Plan; and,
3. Authorizing Finance Director to make appropriate accounting and budgetary entries.

BACKGROUND:

On March 1, 2022, the City Council adopted Resolution No. 2022-33 approving a Memorandum of Understanding (MOU) with the Marina Directors. The MOU included a 2-year agreement spanning July 1, 2021 to June 30, 2023. The agreement called for a 2.5% cost of living adjustment for FY 21/22 and a variable cost of living adjustment for FY 22/23 based upon the April 2022 SF/Oakland CPI but not less than 2% and not more than 3.5%.

The CPI adjustments included in the Marina Directors MOU were substantially the same as all other bargaining unit MOUs that were negotiated in 2021/2022. Recently, the City Council approved an amendment to the Marina Professional Fire Fighters Association (MPFFA) MOU that increased the second year CPI increase to 4%. This second year CPI of 4% was also approved for the Marina Employees Association in their recent MOU that was adopted.

ANALYSIS:

Staff is proposing a modification to the Marina Directors MOU that would adjust the second year CPI increase from 3.25% to 4% to be consistent with other bargaining unit MOU provisions for CPI increases. Attached as "**EXHIBIT A**" is a Side Letter Agreement to the City of Marina and the Marina Directors that will authorizing an adjustment to the 2nd year CPI increase to 4%.

The proposed CPI increase for the second year of the Marina Directors MOU from 3.25% to 4% would be effective the first pay period following City Council approval of the Side Letter Agreement.

Executive Compensation Changes

Government Code section 54953(c)(3) requires that, before taking final action, the Board of Directors must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of local agency executives. Below in Table 1 is a list of employees who constitute local agency executives in the Marina Directors group.

Table 1. Executive Compensation Salary Range

<u>Position</u>	<u>Proposed Monthly Broadband Range with 4 % COLA</u>
Assistant City Manager Community Development Director Finance Director Fire Chief Police Chief Recreation Director Public Works Dir/City Engineer	\$11,175 - \$19,080

Effective December, all positions listed above and in the attached resolution, will receive a cost-of-living increase equal to a 4% increase for the second year of the MOU. This 4% increase will replace the previously approved 3.5% increase for the second year of the MOU.

Executive Compensation Changes

Government Code section 54953(c)(3) requires that the City provide an oral report in regard to the proposed executive salary and compensation adjustments. This report will be provided during the City Council meeting and will be consistent with Table 1 below.

Executive Compensation Summary

The Marina Directors group actual salaries as a result of the above compensation changes are summarized in Table 2 below.

Table 2. Executive Compensation Summary

Salary Table*	
<u>Position</u>	<u>Monthly Salary</u>
Assistant City Manager	\$17,293.12
Community Development Dir.	\$15,411.75
Finance Director	\$14,034.81
Fire Chief	\$17,061.18
Police Chief	\$17,663.36
PW Director/Engineer	\$15,919.26

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FISCAL IMPACT

The fiscal impact of the increased cost to the City from the proposed cost of living increase from 3.5% to 4% is approximately \$8,000 annually.

CONCLUSION:

This request is submitted for City Council consideration and approval.

Respectfully submitted,

Layne Long
City Manager
City of Marina