



CITY OF
FOLSOM
IDENTIFIED BY NATURE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10764 – A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees
FROM:	Human Resources Department Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council pass and adopt Resolution No. 10764 – A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees

BACKGROUND / ISSUE

The existing Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees (CFFDMME) contains Article III, Section 4, Longevity Pay. The wording in this section does not comply with the California Public Employees Retirement System (CalPERS) wording to be included in the salary calculation for retirement benefits. Staff is proposing to remove one sentence in Article III, Section 4, Longevity Pay, paragraph A that refers to the longevity pay being contingent on the annual performance evaluation of the employee. This amendment will not change the percentage paid or the years of service required to earn the longevity benefit.

POLICY / RULE

Section 2.08.040, Powers and Duties of City Manager, Subsection G describes the duties of the City Manager to administer all contracts of which the City is a party, including contingency appropriations for construction contracts, and assure that the city's interests are safeguarded,

terms are enforced and all elements of any contract are faithfully administered, delegating such oversight and authority to the several departments and offices as he/she shall deem appropriate.

ANALYSIS

Staff was notified by CalPERS that a longevity-eligible employee that retired from the city was denied longevity pay from being included in the salary calculation due to the wording in the Memorandum of Understanding (MOU). The MOU contains wording making longevity pay contingent on a satisfactory evaluation. The city has never tied the longevity pay to a satisfactory performance evaluation. The longevity pay is only based on length of service with the city. This amendment will not amend the length of service or the percentage paid as longevity pay.

Below is the current wording with the sentence to be removed shown with a strike through.

Article III, Section 4, Longevity Pay

- A. Subject to subsection B below, employees shall be eligible to receive longevity pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2.5% increments and is as follows:

2.5% after ten (10) continuous years of city service
TO 5% after fifteen (15) continuous years of city service
TO 7.5% after twenty (20) continuous years of city service.

- B. Employees hired after July 1, 2010 shall not be eligible to receive Longevity Pay.

Staff has been in contact with the employee representative of CFFDMME and they agree with the change to the MOU.

ATTACHMENTS

1. Resolution No. 10764 – A Resolution Authorizing Adoption of the Amendment to the Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees
2. Proposed Addendum to the Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees

Submitted,



Allison Garcia
Human Resources Manager



Stacey Tamagni
Finance Director/CFO

ATTACHMENT 1

RESOLUTION NO. 10764

**A RESOLUTION AUTHORIZING ADOPTION OF AN AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND
CITY OF FOLSOM FIRE DEPARTMENT MIDDLE MANAGEMENT EMPLOYEES**

WHEREAS, the City of Folsom and City of Folsom Fire Department Middle Management Employees (CFFDMME) have reached an agreement to amend the existing Memorandum of Understanding regarding certain terms and conditions of employment:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the Addendum to the Memorandum of Understanding (MOU) between the Folsom Middle Management Group for the term of January 1, 2020 to December 31, 2022 is hereby approved, and

BE IT FURTHER RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute said Amendment to the Memorandum of Understanding on behalf of the City of Folsom.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

**Amendment To
2020-2022
Memorandum of Understanding (MOU)
Between
City of Folsom and City of Folsom Fire Department Middle Management Employees
(CFFDMME)**

The Parties hereby agree to the following:

The purpose of this Amendment is to correct Article III, Section 4, to reflect the intent and practice with regard to Longevity Pay. Contrary to the language in Article III, Section 4, Longevity Pay has never been tied to a satisfactory performance evaluation and has always been expected to be part of salary calculation included in CalPERS retirement. No employee has ever been denied longevity pay due to less than satisfactory performance.

Parties agree to the following:

Article III, Section 4, Longevity Pay

- A. Subject to subsection B below, employees shall be eligible to receive longevity pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2.5% increments and is as follows:

2.5% after ten (10) continuous years of city service
TO 5% after fifteen (15) continuous years of city service
TO 7.5% after twenty (20) continuous years of city service.

- B. Employees hired after July 1, 2010 shall not be eligible to receive Longevity Pay.

This Addendum shall be effective immediately.

City of Folsom:

For CFFDMME:

Elaine Andersen
City Manager

Mark Piacentini
CFFDMME Representative

Chad Wilson
CFFDMME Representative