



City Council Agenda Report

Meeting Date: July 09, 2024
Prepared By: Scott Gerdes
Approved By: Gabe Engeland

Subject: Adopt a Resolution entering into a Side Letter Agreement with the Los Altos Peace Officer Association

COUNCIL PRIORITY AREA

- Business Communities
- Circulation Safety and Efficiency
- Environmental Sustainability
- Housing
- Neighborhood Safety Infrastructure
- General Government

RECOMMENDATION

Staff recommends the City Council adopt a Resolution entering into a Side Letter Agreement with the Los Altos Peace Officer Association to comply with California Code of Regulations, title 2, Section 571 (b)(1)(A) and California Code of Regulations, title 2, section 571.1 (a)(4) rules for identifying and defining special compensation.

FISCAL IMPACT

None

ENVIRONMENTAL REVIEW

This action does not qualify as a “Project” as defined in California Government Code Section 15378(b) of the Guidelines for California Environmental Quality Act (CEQA).

PREVIOUS COUNCIL CONSIDERATION

April 25, 2023 – Adoption of Memorandum of Understanding (MOU) between City of Los Altos & Los Altos Police Officer Association (LAPOA) for a five-year agreement between March 2023 – June 30, 2028

DISCUSSION/ANALYSIS

In April 2023, Human Resources staff reached out to CalPERS Memorandum of Understanding review team to ensure that the items of special compensation being proposed in POA’s successor MOU complied with CalPERS specifications for special compensation.

In May 2023, CalPERS informed HR staff that special compensation pertaining to Hostage Negotiation, Tactical Response & SWAT was not reportable as special compensation pursuant to CCR 571 and 571.1.

For context, a number of other public agencies that contract with CalPERS for retirement benefits offer this type of special compensation as Hazard Pay and it is considered reportable as special compensation.

Following nearly a year of dialogue with CalPERS Audit and Compliance Resolution Unit, CalPERS confirmed that this revised language in the Side Letter Agreement is compliant.

ATTACHMENTS

1. City of Los Altos Resolution No. 2024-XX
2. Side Letter Agreement