

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE TO APPROVE THE TERMS OF SIDE LETTER AGREEMENT BETWEEN THE CITY OF SAN JOSE AND MUNICIPAL EMPLOYEES' FEDERATION, AFSCME, LOCAL 101 (MEF) RELATED TO PENSIONABLE BASE PAY INCREASES AND AMEND THE CITY OF SAN JOSE PAY PLAN

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The terms of a Side Letter Agreement with the Municipal Employees' Federation, AFSCME, Local 101 (MEF) to provide the following effective December 22, 2024 are hereby approved:
 - a) Provide employees in the Crime and Intelligence Analyst FT/PT classifications with an approximate 10.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
 - b) Provide employees in the Senior Crime and Intelligence Analyst classification with an approximate 7.75% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
 - c) Provide employees in the Crime Prevention Specialist FT/PT classifications with an approximate 6.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
 - d) Provide employees in the Crime Prevention Supervisor classification with an approximate 1.25% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
 - e) Provide employees in the Hazardous Materials Inspector I classification with an approximate 1.60% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
 - f) Provide employees in the Hazardous Materials Inspector II classification with an approximate 1.60% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;

- g) Provide employees in the Police Property Specialist I classification with an approximate 4.25% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
- h) Provide employees in the Police Property Specialist II classification with an approximate 16.00%% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties; and
- i) Provide employees in the Urban Forestry Inspector I classification with an approximate 16.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties.

2. An amendment to the City of San José Pay Plan effective December 22, 2024 is hereby approved as follows:

- a) Retitle the Arborist Technician (3406) classification to Urban Forestry Inspector I (3406);
- b) Create the classification of Urban Forestry Inspector II (3407) with a pensionable salary range of \$90,084.80 – \$109,366.40 annually;
- c) Delete the classification of Groundskeeper FT/PT (3410 / 3409);
- d) Delete the classification of Groundswoker (3411);
- e) Delete the classification of Street Sweeper Operator (3342);
- f) Increase the pensionable salary range of the classification of Crime and Intelligence Analyst FT/PT (1187 / 1188) to \$88,816.00 – \$108,014.40 annually;
- g) Increase the pensionable salary range of the classification of Senior Crime and Intelligence Analyst (1186) to \$102,294.40 – \$124,217.60 annually;
- h) Increase the pensionable salary range of the classification of Crime Prevention Specialist FT/PT (2231 / 2232) to \$81,411.20 – \$98,924.80 annually;
- i) Increase the pensionable salary range of the classification of Crime Prevention Supervisor (2234) to \$93,620.80 – \$113,776.00 annually;
- j) Increase the pensionable salary range of the classification of Police Property Specialist I (1521) to \$61,193.60 – \$74,464.00 annually;
- k) Increase the pensionable salary range of the classification of Police Property Specialist II (1522) to \$71,156.80 – \$86,424.00 annually;

- l) Increase the pensionable salary range of the classification of Urban Forestry Inspector I (3406) to \$81,785.60 – \$99,320.00 annually;
 - m) Increase the pensionable salary range of the classification of Senior Urban Forestry Inspector (3422) to \$98,820.80 – \$120,369.60 annually;
 - n) Increase the pensionable salary range of the classification of Hazardous Materials Inspector I (2321) to \$103,480.00 – \$125,715.20 annually; and
 - o) Increase the pensionable salary range of the classification of Hazardous Materials Inspector II (2322) to \$114,088.00 – \$138,611.20 annually.
3. The general terms of the agreement are set out and described in the Memorandum to the Honorable Mayor and City Council from Jennifer Schembri, Deputy City Manager, dated December 5, 2024, and attached hereto as Attachment A and incorporated in this Resolution.

ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jennifer Schembri

SUBJECT: See Below

DATE: December 5, 2024

Approved

Date:

COUNCIL DISTRICT: Citywide

**SUBJECT: TERMS OF A SIDE LETTER AGREEMENT BETWEEN THE CITY OF
SAN JOSE AND THE MUNICIPAL EMPLOYEES' FEDERATION AND
AMENDING THE CITY OF SAN JOSE PAY PLAN**

REASON FOR ADDENDUM

The Administration requests that the City Council approve this item during the City Council meeting on December 17, 2024, to ensure the timely processing of special salary adjustments agreed to by the City and the Municipal Employees' Federation, AFSCME, Local 101.

RECOMMENDATION

Adopt a resolution to:

- A. Approve the terms of a Side Letter Agreement with the Municipal Employees' Federation, AFSCME, Local 101 (MEF) to provide the following effective December 22, 2024:
1. Provide employees in the Crime and Intelligence Analyst FT/PT classifications with an approximate 10.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
 2. Provide employees in the Senior Crime and Intelligence Analyst classification with an approximate 7.75% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
 3. Provide employees in the Crime Prevention Specialist FT/PT classifications with an approximate 6.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;

4. Provide employees in the Crime Prevention Supervisor classification with an approximate 1.25% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
5. Provide employees in the Hazardous Materials Inspector I classification with an approximate 1.60% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
6. Provide employees in the Hazardous Materials Inspector II classification with an approximate 1.60% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
7. Provide employees in the Police Property Specialist I classification with an approximate 4.25% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
8. Provide employees in the Police Property Specialist II classification with an approximate 16.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties; and
9. Provide employees in the Urban Forestry Inspector I classification with an approximate 16.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties.

B. Amend the City of San José Pay Plan effective December 22, 2024, as follows:

1. Retitle the Arborist Technician (3406) classification to Urban Forestry Inspector I (3406).
2. Create the following classification:
 - i. Urban Forestry Inspector II (3407) with a salary range of \$90,084.80 – \$109,366.40.
3. Delete the following classifications:
 - i. Groundskeeper FT/PT (3410 / 3409);
 - ii. Groundswoker (3411); and
 - iii. Street Sweeper Operator (3342).
4. Increase the pensionable salary range of the classifications of Crime and Intelligence Analyst FT/PT (1187 / 1188) to \$88,816.00 – \$108,014.40 annually;
5. Increase the pensionable salary range of the classification of Senior Crime and Intelligence Analyst (1186) to \$102,294.40 – \$124,217.60 annually;
6. Increase the pensionable salary range of the classification of Crime Prevention Specialist FT/PT (2231 / 2232) to \$81,411.20 – \$98,924.80 annually;
7. Increase the pensionable salary range of the classification of Crime Prevention Supervisor (2234) to \$93,620.80 – \$113,776.00 annually;
8. Increase the pensionable salary range of the classification of Police Property Specialist I (1521) to \$61,193.60 – \$74,464.00 annually;
9. Increase the pensionable salary range of the classification of Police Property Specialist II (1522) to \$71,156.80 – \$86,424.00 annually;

10. Increase the pensionable salary range of the classification of Urban Forestry Inspector I (3406) to \$81,785.60 – \$99,320.00 annually;
11. Increase the pensionable salary range of the classification of Senior Urban Forestry Inspector (3422) to \$98,820.80 – \$120,369.60 annually;
12. Increase the pensionable salary range of the classification of Hazardous Materials Inspector I (2321) to \$103,480.00 – \$125,715.20 annually; and
13. Increase the pensionable salary range of the classification of Hazardous Materials Inspector II (2322) to \$114,088.00 – \$138,611.20 annually.

SUMMARY AND OUTCOME

Adoption of the resolution will approve a Side Letter Agreement between the City and MEF (Attachment A) to provide the following pensionable pay increases to employees in the classifications listed below:

Classification	Union	Pensionable Increase
Crime and Intelligence Analyst FT/PT (1187 / 1188)	MEF	10.00%
Senior Crime and Intelligence Analyst (1186)	MEF	7.75%
Crime Prevention Specialist FT/PT (2231 / 2232)	MEF	6.00%
Crime Prevention Supervisor (2234)	MEF	1.25%
Hazardous Materials Inspector I (2321)	MEF	1.60%
Hazardous Materials Inspector II (2322)	MEF	1.60%
Police Property Specialist I (1521)	MEF	4.25%
Police Property Specialist II (1522)	MEF	16.00%
Urban Forestry Inspector I (3406) (formerly Arborist Technician)	MEF	16.00%

Adoption of the resolution will also create the Urban Forestry Inspector II classification (Attachment B). The City's Pay Plan will be amended to change the salary ranges for the classifications noted above in accordance with the terms of the Side Letter Agreement. Adoption of the resolution will also retitle the Arborist Technician classification to Urban Forestry Inspector I.

BACKGROUND

Crime & Intelligence Analyst, Crime Prevention Specialist, and Police Property Specialist

On August 15, 2023, the City and MEF entered into a Side Letter Agreement that provided the City would conduct a review of the classification specifications for various

classifications including, but not limited to, the Crime and Intelligence Analyst, Crime Prevention Specialist, and Police Property Specialist classifications. This Side Letter Agreement indicated that once any recommended classification specification revisions were completed, the City would conduct salary surveys for these classifications and discuss the results with MEF. Pursuant to this Agreement, the City conducted surveys for these classifications and gathered vacancy, recruitment, and turnover data related to these classifications and discussed these findings with MEF. Because of vacancy and/or recruitment and retention issues within the classifications listed in this memorandum and the salary ranges of these classifications being found to be under the market average of the City's salary surveys, the City and MEF subsequently reached a Side Letter Agreement to provide the following special pensionable wage increases to bring these classifications closer to the market average:

Classification	Pensionable Wage Increase
Crime and Intelligence Analyst FT/PT (1187 / 1188)	10.00%
Senior Crime and Intelligence Analyst (1186)	7.75%
Crime Prevention Specialist FT/PT (2231 / 2232)	6.00%
Crime Prevention Supervisor (2234)	1.25%
Police Property Specialist I (1521)	4.25%
Police Property Specialist II (1522)	16.00%

Hazardous Materials Inspector Series

The Fire Department has experienced long standing vacancies within the Hazardous Materials Inspector I/II classifications. Because of the vacancy issues, the City conducted salary surveys for these classifications which found that they were slightly below the market average. The City and MEF discussed these findings and, as part of the aforementioned Side Letter Agreement, reached an agreement to provide these classifications with a 1.60% special pensionable wage increase to bring these classifications to the market average.

Arborist Series

To address recruitment and retention challenges within the Arborist series, the Department of Transportation and Human Resources Department recommend the following changes to the classification structure:

Current Classification	Recommended Change
Arborist Technician	Retitle to Urban Forestry Inspector I
	Create Urban Forestry Inspector II classification

As noted in the table, above, the recommendation converts the current Arborist Technician into the flexibly-staffed Urban Forestry Inspector I/II classifications. Along

with the restructuring of the classification series, MEF and the City have agreed to the following special pensionable salary adjustment increase:

Classification	Adjustment
Urban Forestry Inspector I	16.00%

This recommendation would create the Urban Forestry Inspector II classification at approximately the market average and align the rate of pay for the Urban Forestry Inspector I to avoid salary compaction. The City is still in discussions with the Association of Supervisory Maintenance Personnel, IFPTE, Local 21, and the City Association of Management Personnel, IFPTE, Local 21, regarding additional changes to the Arborist series for classifications that these units represent and will bring any agreed upon changes to the City Council in the future.

Deletion of Classifications

On May 21, 2024, the City Council approved the terms of a successor Memorandum of Agreement with the International Union of Operating Engineers, Local No. 3 (OE#3) for the term of June 30, 2024, through June 30, 2027. As part of this agreement, the Groundskeeper FT/PT (3410 / 3409) and Groundswoker (3411) classifications were combined into the Maintenance Worker I (3113 / 3112) classification due to a significant overlap in duties. Similarly, the Street Sweeper Operator (3342) classification was combined with the Maintenance Worker II (3114) classification. Due to these class consolidations, the Groundskeeper FT/PT, Groundswoker, and Street Sweeper Operator classifications will be deleted from the City's Pay Plan.

ANALYSIS

The following is a summary of the key provisions contained in the Side Letter Agreement with MEF:

Crime and Intelligence Analyst FT/PT Base Pay Increase	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Crime and Intelligence Analyst FT/PT (1187 / 1188) classifications shall receive a pensionable base pay increase in the amount of 10.00%. This will result in an increase to the top and bottom of the pensionable salary range in the Pay Plan for the Crime and Intelligence Analyst FT/PT (1187 / 1188) classifications.
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Senior Crime and Intelligence Analyst Base Pay Increase	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Senior Crime and Intelligence Analyst (1186) classification shall receive a pensionable base pay increase in the amount of 7.75%. This will result in an increase to the top and bottom of the pensionable salary range in the Pay Plan for the Senior Crime and Intelligence Analyst (1186) classification.
Crime Prevention Specialist FT/PT Base Pay Increase	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Crime Prevention Specialist FT/PT (2231 / 2232) classification shall receive a pensionable base pay increase in the amount of 6.00%. This will result in an increase to the top and bottom of the pensionable salary range in the Pay Plan for the Crime Prevention Specialist FT/PT (2231 / 2232) classification.
Crime Prevention Supervisor Base Pay Increase	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Crime Prevention Supervisor (2234) classification shall receive a pensionable base pay increase in the amount of 1.25%. This will result in an increase to the top and bottom of the pensionable salary range in the Pay Plan for the Crime Prevention Supervisor (2234) classification.
Police Property Specialist I Base Pay Increase	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Police Property Specialist I (1521) classification shall receive a pensionable base pay increase in the amount of 4.25%. This will result in an increase to the top and bottom of the pensionable salary range in the Pay Plan for the Police Property Specialist I (1521) classification.
Police Property Specialist II Base Pay Increase	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Police Property Specialist II (1522) classification shall receive a pensionable base pay increase in the amount of 16.00%. This will result in an increase to the top and bottom of the pensionable

	salary range in the Pay Plan for the Police Property Specialist II (1522) classification.
Urban Forestry Inspector I Base Pay Increase Urban Forestry Inspector I Base Pay Increase (Continued)	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Urban Forestry Inspector I (3406) classification shall receive a pensionable base pay increase in the amount of 16.00%. This will result in an increase to the top and bottom of the pensionable salary range in the Pay Plan for the Urban Forestry Inspector I (3406) classification.
New Classification – Urban Forestry Inspector II	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, a new classification of Urban Forestry Inspector II will be created.
Hazardous Materials Inspector I Base Pay Increase	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Hazardous Materials Inspector I (2321) classification shall receive a pensionable base pay increase in the amount of 1.60%. This will result in an increase to the top and bottom of the pensionable salary range in the Pay Plan for the Hazardous Materials Inspector I (2321) classification.
Hazardous Materials Inspector II Base Pay Increase	Effective the first pay period after the agreement has been signed by all parties and has been approved by the City Council in open session, employees in the Hazardous Materials Inspector II (2322) classification shall receive a pensionable base pay increase in the amount of 1.60%. This will result in an increase to the top and bottom of the pensionable salary range in the Pay Plan for the Hazardous Materials Inspector II (2322) classification.

EVALUATION AND FOLLOW-UP

No further follow-up with the City Council related to this action is anticipated at this time.

COST SUMMARY/IMPLICATIONS

The additional ongoing costs related to the recommended pensionable special wage increases for the Crime and Intelligence Analyst FT/PT (1187 / 1188), Senior Crime and Intelligence Analyst (1186), Crime Prevention Specialist FT/PT (2231 / 2232), Crime Prevention Supervisor (2234), Police Property Specialist I (1521), Police Property Specialist II (1522), Urban Forestry Inspector I (3406), Hazardous Materials Inspector I (2321), and Hazardous Materials Inspector II (2322) classifications, along with the creation of the Urban Forestry Inspector II classification are approximately \$523,000, of which approximately \$419,000 is in the General Fund.

With City Council approval of the recommended actions, these increased costs will be factored into the development of the 2025-2026 Base Budget. It is anticipated that the Police Department, Fire Department, Department of Transportation, and Department of Parks, Recreation and Neighborhood Services will absorb the respective increased costs within their existing budget for the remainder of 2024-2025. If necessary, the Administration will bring forward any increases to the existing appropriations in 2024-2025 as part of a future budget process.

COORDINATION

This memorandum was coordinated with the Human Resources Department, City Manager's Office of Employee Relations, City Manager's Budget Office, and the City Attorney's Office.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the December 17, 2024, City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

Revisions to the City's Pay Plan for classified positions are reported to the Civil Service Commission for filing at the first regularly scheduled meeting following City Council action.

CEQA

Not a Project, File No. PP17-010, General Procedure & Policy Making resulting in no changes to the physical environment.

HONORABLE MAYOR AND CITY COUNCIL

December 5, 2024

Subject: Terms of a Side Letter Agreement Between the City of San Jose and MEF and Amending the Pay Plan

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PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.



Jennifer Schembri
Deputy City Manager

The principal author of this memorandum is Bill Gold, Assistant to the City Manager in the City Manager's Office of Employee Relations. For questions, please contact Jennifer Schembri at (408) 535-8150.

ATTACHMENTS

Attachment A – MEF Side Letter Agreement – Base Pay Increases and Structure Changes for Specific Classifications

Attachment B – Urban Forestry Inspector Class Specification

SIDE LETTER AGREEMENT


BETWEEN
THE CITY OF SAN JOSE
AND
THE MUNICIPAL EMPLOYEES' FEDERATION, AFSCME, LOCAL 101 (MEF)

BASE PAY INCREASES AND STRUCTURE CHANGES FOR SPECIFIC CLASSIFICATIONS

In recognition of vacancy, recruitment, retention, and/or salary compaction issues within the classification series, below, effective the first full pay period after this agreement is signed by all parties below and approved by City Council in open session, employees in the classifications listed below shall receive the following special pensionable base pay increase:

Classification	Approx. Pensionable Increase
Crime and Intelligence Analyst FT/PT (1187 / 1188)	10.00%
Senior Crime and Intelligence Analyst (1186)	7.75%
Crime Prevention Specialist FT/PT (2231 / 2232)	6.00%
Crime Prevention Supervisor (2234)	1.25%
Hazardous Materials Inspector I (2321)	1.60%
Hazardous Materials Inspector II (2322)	1.60%
Police Property Specialist I (1521)	4.25%
Police Property Specialist II (1522)	16.00%

Additionally, in recognition of vacancy, recruitment, and retention issues within the classification series, below, effective the first full pay period after this agreement is signed by all parties below and approved by City Council in open session, the City and MEF agree to the following classification structure changes:

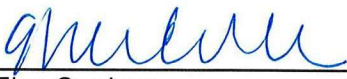
Current Classification		New Classification Structure	Notes
Arborist Technician (3406)		Urban Forestry Inspector I (3406)	Approximately 16.00% special wage adjustment
		Urban Forestry Inspector II (New Job Code)	New classification with a top step approximately 10% above the top step of Urban Forestry Inspector I

This will result in an increase to the top and bottom of the salary range of employees in the classifications noted above.

This side letter agreement shall become effective on the first full pay period after this agreement has been signed by all parties below and approved by the City Council in open session and will

resolve the side letter agreement between the City and MEF titled Salary Surveys, dated August 15, 2023.

For Employer:
City of San Jose




Elsa Cordova
Deputy Director of Employee Relations

Date

11/14/24

For Union:
MEF



Nick Rovetto
President, MEF

Date

11/14/24



John Tucker
Union Representative, AFSCME, Local 101

Date

11/14/24