

SUBJECT: Adopt the Side Letter between the City of Brentwood and the Brentwood Police Officers' Association

DEPARTMENT: Human Resources

STAFF: Teresa Fairbanks, Human Resources Manager

TITLE/RECOMMENDATION

Adopt the Side Letter between the City of Brentwood and the Brentwood Police Officers' Association to update the Holiday language in the Brentwood Police Officers' Association 2021-2024 and 2024-2027 Memorandums of Understanding (MOUs) to clearly identify the City's official list of recognized holidays. The proposed action will clarify the Holiday Pay language to ensure that it is reportable as special compensation to CalPERS pursuant to the Public Employees' Retirement Law (PERL), Government Code, California Code of Regulations (CCR), and CalPERS regulations.

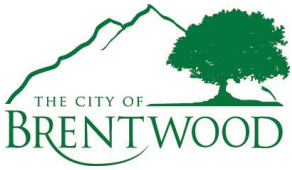
FISCAL IMPACT

If approved, the actions contemplated in the proposed Side Letter (Exhibit A) relate to updating language to clarify the City's recognized list of holidays and would not result in additional costs for the City. Thus, no budget amendment would be required.

BACKGROUND

The City remains committed to fairness and equity for its employees while maintaining competitive salaries and benefits. In alignment with these goals, the City also continues to pursue a fiscally responsible path that supports long-term sustainability for both its workforce and the Brentwood community, including maintaining healthy reserves and avoiding increases to unfunded obligations.

On September 28, 2021 and November 12, 2024, the City Council approved successor Memorandums of Understanding (MOUs) between the City of Brentwood and the Brentwood Police Officers' Association (BPOA) for the term of July 1, 2021, through June 30, 2024 and July 1, 2024, through June 30, 2027, respectively. Per the requirements of the Meyers-Milias-Brown Act ([California Government Code](#)



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[Sections 3500-3511](#)), any modifications to the MOUs must be mutually agreed upon by both parties.

The current language in the respective Memorandums of Understanding (MOUs) does not specifically identify the City's official list of recognized holidays. As a result, CalPERS has notified the City that holiday pay is not reportable as special compensation pursuant to the Public Employees' Retirement Law (PERL), Government Code, California Code of Regulations (CCR), and CalPERS regulations. To address this issue, the attached Side Letter (Exhibit A) proposes revised language that explicitly defines the City's recognized holidays. This update will ensure compliance with reporting requirements moving forward.

Staff recommends that the City Council approve the attached side letter to amend the MOUs to update Holiday language that clearly identifies the City's official list of recognized holidays.

The Side Letter was agreed upon and developed jointly by representatives from the City and the Brentwood Police Officers' Association (BPOA), and has been reviewed and approved by the City Attorney, as well as outside legal counsel specializing in employment law.

CITY COUNCIL STRATEGIC INITIATIVE

Not Applicable

PREVIOUS ACTION

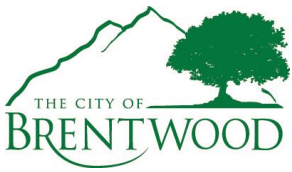
Previous Action by the City Council is included in Attachment 1.

DATE OF NOTICE

Not Applicable

ENVIRONMENTAL DETERMINATION

Not Applicable



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ALTERNATIVE OPTION(S)

Staff does not recommend any alternative options to ensure that the City of Brentwood has updated language in the 2021-2024 and 2024-2027 MOUs that clearly identifies the City's official list of recognized holidays that is compliant and reportable as special compensation to CalPERS pursuant to the Public Employees' Retirement Law (PERL), Government Code, California Code of Regulations (CCR), and CalPERS regulations.

ATTACHMENT(S)

1. Previous Action
2. Resolution
3. Exhibit A – BPOA Side Letter
4. Exhibit A – BPOA Side Letter (red-line)