

RESOLUTION NO. 2023-239

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
RATIFYING AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF ELK GROVE AND THE ELK GROVE POLICE OFFICERS'
ASSOCIATION**

WHEREAS, all City labor relations have been regulated by the Meyers-Milias-Brown Act (MMBA) and the City-promulgated Employee Employer Relations Policy established by Resolution No. 2001-40, as well as the current City of Elk Grove Personnel Rules and Regulations dated January 1, 2021; and

WHEREAS, the current Memorandum of Understanding (MOU) between the City of Elk Grove (City) and the Elk Grove Police Officers' Association (EGPOA) expires on June 30, 2027; and

WHEREAS, the City and EGPOA have met and conferred in good faith concerning Amendment No. 1 to the MOU.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby ratifies Amendment No. 1 to the Memorandum of Understanding between the City of Elk Grove and the Elk Grove Police Officers' Association, attached hereto as Exhibit A and incorporated herein by reference.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of October 2023




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY



FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING

ELK GROVE POLICE OFFICERS ASSOCIATION

THIS FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING (“First Amendment”) is made and entered into between City of Elk Grove, a California municipal corporation (“City”) and Elk Grove Police Officers Association (“EGPOA”), and hereby amends the Memorandum of Understanding entered into between the parties with an effective date of July 1, 2023, as contract number C-23-364 (“MOU”).

NOW, THEREFORE, in consideration of the mutual promises set forth herein, City and EGPOA agree to as follows:

1. It is the intent of the City and EGPOA to continue to be bound by all terms and conditions of the MOU, all of which are expressly incorporated into this First Amendment by this reference, except as expressly changed by this First Amendment.
2. Section 4(G) of Article XII (Application of Appeal Procedure) is hereby amended and replaced, in its entirety, with the following provision:
 - G. A counseling memorandum, letter of instruction or similar action shall not be considered formal disciplinary action. Such measures shall be considered corrective action. The Police Chief may issue General Orders defining corrective action measures and identify those management personnel who can issue such measures. Corrective action may be appealed to the Police Chief or designee; the decision shall be final and not subject to further appeal.
3. Section 5 of Article XII (Cause for Disciplinary Action) is hereby added with the following provision:

5. Cause for Disciplinary Action

Discipline shall be for cause. The list of causes for disciplinary action contained in the Elk Grove Police Department Policies and Procedures, Section 340, constitutes a portion of the disciplinary standards of the Police Department. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of



City of Elk Grove

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Re: Memorandum of Understanding C-23-364

disciplinary action for specific action or inaction that is detrimental to efficient department service.

4. Effective July 1, 2023, Section 5 of Article V (Assignment Pay) of the MOU is hereby amended and replaced, in its entirety, with the following provision:

5. Assignment Pay

- A. When an officer or Sergeant is assigned by the Police Chief as a School Resource Officer/Liaison to the Elk Grove Unified School District employees and students, Public Information Officer, or Motor Officer (Traffic), the employee shall receive a 5% Assignment Pay differential for all hours worked in the assignment.
- B. When an officer is assigned by the Police Chief as a Resource Officer/Liaison to the Sky River Casino, the employee shall receive a 5% Assignment Pay differential for all hours worked in the assignment, subject to procedures for extended absences established by the Police Chief.
- C. When an officer or Sergeant is assigned by the Police Chief as a Detective, the employee shall receive a 5% Assignment Pay differential for all hours worked in the assignment. The Detective pay differential shall also apply to officers assigned as the Special Equipment Operator and Sergeants assigned to Internal Affairs.
- D. When an Officer is assigned a trainee by the Police Chief as a Field Training Officer (FTO), the employee shall receive a 7.5% Assignment Pay differential for all hours worked in the assignment (i.e., hours worked with the assigned trainee).

In addition, the Police Chief may assign (at their sole discretion) one or more full time FTO's to the program. Full time FTO's will be routinely and consistently assigned to train employees.

- E. Assignment Pay shall be multiplied by the employee's salary step. Assignment Pay shall not be compounded. Assignment Pay shall be effective the beginning of the pay period after the Police Chief makes the assignment.
- F. This section shall not apply to "temporary" assignments. For purposes of this section, "temporary" shall mean assignments that are fifteen (15) consecutive days or less in duration.
- G. Reassignments may be made pursuant to the Elk Grove Police Department Policy 1004 Promotional and Transfer Policy.




City of Elk Grove
Elk Grove Police Officers Association
Re: Memorandum of Understanding C-23-364

AGREED to this _____ day of _____, 2023, by the parties as follows.

FOR CITY

FOR EGPOA

By: _____
Jason Behrmann, City Manager

By: 
Musa Abedrabbo, President

By: Melissa Rojas
Melissa Rojas, Human Resources Director

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: Jonathan P. Hobbs
Jonathan P. Hobbs, City Attorney

By: Bhavendee Atwal
Counsel for EGPOA

ATTEST:

By: _____
Jason Lindgren, City Clerk

Date: _____

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2023-239

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 11, 2023 by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Spease, Brewer, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Robles



Jason Lindgren, City Clerk
City of Elk Grove, California