



## HUMAN RESOURCES

TO: Bert Lumbreras, City Manager

THROUGH: Stephanie Reyes, Chief of Staff

FROM: Linda Spacek, Director of Human Resources

Date: August 2, 2019

SUBJECT: Summary of 2019 – 2022 Proposed Meet and Confer Agreement with SMPOA

This memo is designed to provide you with a summary of this negotiation for a successor Meet and Confer Agreement with the San Marcos Police Officers Association (SMPOA). The successor agreement has been ratified by the SMPOA and is on the City Council Agenda for August 6th for the City Council's consideration and approval.

### Background

Meet and Confer is a process designed to allow police and fire associations and management an opportunity to understand each other's interests and reach agreement on important employment issues. The enabling statute outlines specific areas of discussion for this process which include wages, rates of pay, hours of work and working conditions. Meet and Confer provides an opportunity to make modifications to Texas Statutes which will be better suited to our operational needs through pre-emption.

In early 2006, The City of San Marcos City Council adopted the provisions of the Texas Local Government Code, Chapter 142, Sub Chapter B, Meet and Confer and approved the San Marcos Police Officer's Association (SMPOA) as the sole and exclusive bargaining agent for the City of San Marcos Police Officers. The initial agreement with the SMPOA was effective October 1, 2009 with a three-year term. The City's current Meet and Confer Agreement with the SMPOA will expire September 30, 2019. The agreement before you for approval is the fourth agreement to be effective from October 1, 2019 – September 30, 2022.

### Negotiating Teams:

#### City Team:

Bert Lumbreras, City Manager  
Linda Spacek, Director of HR/Civil Service  
Stephanie Reyes, Chief of Staff  
Collette Jamison, Assistant City Manager  
Heather Hurlbert, Director of Finance

#### Association Team:

Jesse Saavedra, President, Corporal  
Kelly Bomersbach, Commander  
Dave Campbell, Officer  
Ryan Hartman, Corporal  
Carl Spriegel, Sergeant  
Tiffany Williams, Sergeant  
Danny Arredondo, Officer, CLEAT

## Goals for this Negotiation

In discussing issues important to both parties, an area of discussion over the last several negotiations have been the structure of our pay plan. The current pay plan does not support market competitiveness for all ranks. During the one-year extension, we committed to address this issue. A subcommittee has been meeting since last fall and spent significant time developing the proposed plan which is market competitive and provides career growth for officers. This will be key for recruiting and retention for years to come.

We have had difficulty recruiting and retaining cadets and officers through their initial training. Many have left or have not successfully completed the training to begin working as a police officer. The market updates to the plan resulted in an increase in starting pay for a beginning police officer of 6.16%, which significantly improves our market position to attract top tier candidates. This agreement also provides additional flexibility to hire TCOLE certified candidates and our lateral entry program provides incentives for experienced officers to apply.

We have also made modifications to the promotional process for officers so that scores on both the written test and the assessment are considered in the final promotional score. This promotional process was adopted for all ranks.

The changes proposed in this agreement are detailed below.

## Highlights of the Agreement

Summary of negotiated changes included in the proposed 2019-2022 Successor Meet and Confer Agreement with the SMPOA:

### Article 3 – Hiring:

- Provide ability to hire additional TCOLE certified officers upon agreement of Police Chief, Association President and Director of HR/Civil Service. Hiring certified officers saves approximately 16 weeks of TCOLE Academy Training.
- Authorize the Chief to appoint part-time officers for limited purposes which will not be members of the classified service at appointment and will not have civil service protections for the duration of employment.

### Article 4 – New Hire Probationary Period:

Clarify the probationary employees are not members of the classified service.

### Article 5 – Wages & Compensation

Adopt a new market competitive career pay plan and provide provisions for implementation over the term of this agreement. This plan provides competitive wages from hire over 15 years for all ranks.

- 10/1/2019 – Implementation of pay plan by placing employees in plan and provide a step increase; officers whose years of service exceed their current step, receive an additional step.
- 10/1/2020 – 2.5% base pay increase and step; officers whose years of service exceed their current step, receive an additional step.
- 10/1/2021 – 2.0% base pay increase and steps; officers whose years of service exceed their current step, receive an additional step.

**Article 5 – Wages & Compensation**

- Increase shift differential for midnight shift officers from \$100 a month to \$200 a month beginning Oct 1, 2020
- Provide new structure for add pays beginning Oct 1, 2020
- Duty assignments (Eligible for a maximum of one at a time):
  - K-9 and Downtown duty - \$160 monthly
  - Mental Health Officer - \$100 monthly
- Field Training Officer - \$20 per shift as FTO
- Extra Duty Assignment (Eligible for a maximum of two extra duty assignments):
  - SWAT - \$150 per month
  - Drone, Collision Investigation Team and CNT/Negotiator - \$75 per month
- A corporal who fills in during the absence of a sergeant will be paid Sergeant pay if the sergeant is out for a full pay period or longer.

**Article 12 - Promotions:**

- Add Assessment Center to the selection process for Corporals.
- Adopt pass/fail provisions for the assessment center portion of the promotional examination with a minimum score of 70 as passing.
- Extend the time in which disciplinary action may be considered for purposes of promotion from one to two years.

**Article 14 - Contract interpretation and dispute resolution procedure:**

- Modify timelines in the article for consistency.

**Article 15 - City Property Off-duty and Special Duty Work:**

- Expand the scope of the article to include City Parks when Park Rangers are not available.
- Increase the rate for rental agreements executed 10/1/2019 and later at a rate of \$45 per hour. The current rate is \$40.

**Add Article 21- Administrative Simplification –**

- Civil Service provides for posting by bulletin board and mail by USPS. This provision provides use of web posting in lieu of bulletin boards and email notification rather than post office mail.
- Provides authorization for the Director of Civil Service to perform ministerial duties on behalf of the Civil Service Commission in the hiring and promotional process.

## Cost of the Agreement

<b>POLICE FUNDING</b>				
<b>Police Funding 4% Projected Base Pay Per Year</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Year 1	\$308,085	\$308,085	\$308,085	\$924,256
Year 2		\$330,222	\$330,222	\$660,443
Year 3			\$344,197	\$344,197
<b>Total Funding</b>	<b>\$308,085</b>	<b>\$638,307</b>	<b>\$982,504</b>	<b>\$1,928,896</b>
<b>Projected Cost</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Year 1	\$309,473	\$360,663	\$360,663	\$1,030,799
Year 2		\$286,859	\$363,656	\$650,515
Year 3			\$273,655	\$273,655
<b>Total Additional Payroll</b>	<b>\$309,473</b>	<b>\$647,522</b>	<b>\$997,974</b>	<b>\$1,954,969</b>

I extend my thanks to the SMPOA Team for spending many hours working through difficult issues this negotiation. The process of developing a new pay plan to meet the interests of both parties took dedication and compromise which resulted in a plan which will serve the department for many years.