

**SIDE LETTER AGREEMENT  
BETWEEN THE  
INTERNATIONAL UNION OF OPERATING ENGINEERS, STATIONARY ENGINEERS,  
LOCAL 39  
AND  
THE CITY OF ROSEVILLE  
RELATED TO THE MODIFICATION OF THE FLEX CREDIT**

The City of Roseville (hereinafter referred to as “City”) and the International Union of Operating Engineers Stationary Engineers, Local 39 (hereinafter referred to as “Local 39”) entered into a Memorandum of Understanding (“MOU”) with a term beginning on June 8, 2019, and terminating on December 31, 2021. The City and Local 39 are collectively referred to herein as the “Parties.”

Background and Overview

The Parties entered into a Side Letter Agreement (“SLA”) in September 2019, concerning modification of the Flex Credit. That SLA relates to a modification to the City’s provision of a cafeteria plan flex credit amount for employees who elect a medical plan. The City and the union agreed to discontinue the same flex credit amount irrespective of whether the employee chooses an employee only medical plan, employee + 1 medical plan, or an employee + family medical plan and instituting a tiered plan whereby the flex credit amount is greater for those electing family medical coverage as described below.

In addition, this proposed SLA addresses the intent of the Flex Credit increase to be effective with the new rate changes for 2021.

The specific provisions contained in this Agreement are intended to supersede any previous agreements, whether oral or written, regarding the matters contained in this Agreement.

The Parties have satisfied their obligations to meet and confer in good faith in accordance with the Meyers-Milias-Brown Act (“MMBA”).

Except as provided here, all wages, hours, and other terms and conditions of employment presently in the City’s MOU and SLAs with the Local 39 remain in full force and effect.

A. The Parties mutually agree to replace Chapter 3, Article I, section C., Cafeteria Plan, to read as follows:

C. Cafeteria Plan

1. The City agrees to maintain a Cafeteria Plan, pursuant to Section 125 of the Internal Revenue Code or any related regulations, for the purpose of providing employees with access to various health and welfare benefits. Benefits available through the Cafeteria Plan include medical insurance, dental insurance, vision insurance and Long Term Disability (LTD) insurance.
2. The City agrees to provide a Cafeteria Plan Allowance to all employees eligible to participate in City sponsored health and welfare benefits under Section A of this Article of up to \$1,347.00 monthly (less the direct PEMHCA payment provided in paragraph B) for the term of the agreement.

3. The City currently provides a flex credit of \$198.00 per month to be used by active employees for any benefit covered under the Cafeteria Plan. Effective January 1, 2021, the City will increase the flex credit to \$228. Effective December 31, 2021, the City will increase the flex credit to \$258, starting the first pay period for the next plan year, unless a different benefit is negotiated in a successor MOU.
4. Employees who elect not to participate in any of the medical, dental, vision, or LTD insurance benefits sponsored by the City and who provide proof of other medical coverage will not receive any Cafeteria Plan Allowance under Section C(2) of this Article. Instead, employees who opt out of these City sponsored benefits will receive \$150 per month.
5. Effective January 1, 2021, for active employees electing family medical coverage, the City agrees to provide an additional amount towards flex credit of up to \$100 per month, which is in addition to the \$90 per month increase agreed upon by the September 2019 SLA, for a total of \$190 per month additional flex credit to be used for the payment of medical insurance by active employees who elect family medical coverage.
6. Any Cafeteria Plan Allowance provided for under Section C(2) of this Article can only be used by an employee to offset the cost of participation in City sponsored medical, dental, vision, and LTD insurance benefits for the employee and any eligible dependents.

**B.** The additional flex credit contribution for family medical coverage as described in Chapter 3, Article I, section (C) (5) will be considered as part of the City cafeteria plan contribution amount included in total compensation.

THESE ARE TENTATIVE TERMS SUBJECT TO APPROVAL OF THE CITY COUNCIL.

CITY OF ROSEVILLE

INTERNATIONAL UNION OF OPERATING  
ENGINEERS STATIONARY ENGINEERS, LOCAL 39

  
BY: DOMINICK CASEY,  
CITY MANAGER

Date: 10.22.2020

  
BART FLORENCE, BUSINESS MANAGER

  
STEVE CROUCH, DIRECTOR OF PUBLIC EMPLOYEES

  
CHUCK THIEL, BUSINESS REPRESENTATIVE

Date: 10/13/2020

RESOLUTION NO. 20-420

APPROVING A SIDE LETTER TO THE MASTER MEMORANDUM OF UNDERSTANDING FOR EMPLOYEES REPRESENTED BY THE INTERNATIONAL UNION OF OPERATING ENGINEERS, STATIONARY ENGINEERS, LOCAL 39, AND AUTHORIZING THE CITY MANAGER TO EXECUTE IT ON BEHALF OF THE CITY OF ROSEVILLE

WHEREAS, a side letter to the Master Memorandum of Understanding for Employees represented by the International Union Of Operating Engineers, Stationary Engineers, Local 39, to amend the flex credit benefit to address the significant rate increases to plan premiums, has been reviewed by the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Roseville that said side letter to the Master Memorandum of Understanding is hereby approved and that the City Manager is authorized to execute it on behalf of the City of Roseville.

PASSED AND ADOPTED by the Council of the City of Roseville this 21<sup>st</sup> day of October, 2020, by the following vote on roll call:

AYES COUNCILMEMBERS: Bernasconi, Alvord, Roccucci, Houdesheldt, Allard

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: None



MAYOR

ATTEST:




City Clerk

The foregoing instrument is a correct copy of the original on file in the City Clerks Department.

ATTEST:

City Clerk of the City of Roseville, California



DEPUTY CLERK