



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: July 15, 2025
TO: LaTanya Bellow, City Manager
FROM: Lilybell Nakamura, Human Resources Director
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Settlement Agreement With The Emeryville Police Officers' Association (POA) For A Full Compromise And Release Of Overtime Claims And To Amend Adopted Fiscal Year 2025-2026 Budget To Increase The Appropriation In The General Fund, Police Department, Account 2200-71050 By \$262,868.29**

RECOMMENDATION

Staff recommends City Council adopt the attached resolution authorizing the City Manager to execute a settlement agreement with the Emeryville Police Officers' Association (POA) in consideration for a full compromise and release of contract overtime claims.

BACKGROUND

The City and POA are parties to an existing Memorandum of Understanding (MOU), covering the period of July 1, 2023 through June 30, 2026. In April of 2024, the POA filed a grievance claim regarding the City's calculation of overtime under the parties' MOU. Both parties have reached an agreement on matters related to incorrect calculation of overtime pay.

DISCUSSION

In April of 2024, the City received a grievance from the POA claiming incorrect calculation of overtime under the parties' MOU. The City held meetings with the POA to review and discuss the statutory requirements under the MOU and determined the need to correct the current calculations used for overtime payments. The City contracted with and provided data to a consulting firm for the period of April 2020 to June 15, 2025. The consulting firm examined the data and calculated the correct amount of overtime pay for 52 employees.

Following meeting and conferring, the POA and City representatives agreed to resolve the dispute through a comprehensive settlement agreement. The POA accepted the City's offer to settle the back overtime claim for the period of April 21, 2020, through the date that the payroll corrections were put into effect on June 15, 2025.

FISCAL IMPACT

The Fiscal Year 2025-2026 general fund expenditure budget for the Police Department will need to be increased by the total settlement amount of \$262,868.29.

STAFF COMMUNICATION WITH THE PUBLIC

Staff has not had any communication with the public regarding this matter.

CONCLUSION

Staff recommends that the City Council authorizes the City Manager to execute a settlement agreement with the POA for a full compromise and release of contract overtime claims

PREPARED BY: Lilybell Nakamura, Human Resources Director

APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:



LaTanya Bellow, City Manager

ATTACHMENTS

- Draft Resolution
 - Exhibit A – Settlement Agreement