

**SIDE LETTER OF AGREEMENT
BETWEEN THE CITY OF SANTA BARBARA
AND THE POLICE MANAGEMENT ASSOCIATION BARGAINING UNIT**

Pursuant to the provisions of the Meyers-Milas Brown Act, this Side Letter of Agreement ("Agreement") is entered into between the City of Santa Barbara ("City") and Police Management Association Bargaining Unit ("Union") (collectively, the "Parties"), as an amendment to the Memorandum of Understanding (MOU), covering the term January 1, 2021 to June 30, 2027.

Having met and conferred in good faith, the Parties agree to amend Section 7 of the PMA Memorandum of Understanding (MOU) regarding uniform allowance.

1. Purpose

The purpose of this Side Letter is to clarify the parties' longstanding intent regarding the uniform allowance referenced in Section 7 of the MOU. The parties confirm that the uniform allowance is, and has always been, provided solely for the purchase, rental, cleaning, maintenance, and replacement of required uniforms and required clothing, and not for equipment, ammunition, or items solely for personal health and safety.

2. Clarification of Uniform Allowance

Section 7 of the MOU is hereby clarified as follows:

Section 7 – Uniform Allowance. Employees in the Police Management Association bargaining unit who are required to wear a uniform as part of their normal duties shall receive a uniform allowance of \$1,038 per year, paid on a biweekly basis as part of regular payroll. The uniform allowance is compensation paid for the purchase, rental, cleaning, maintenance, and replacement of required uniforms and required clothing, including clothing made from specially designed protective fabrics, which is a ready substitute for personal attire the employee would otherwise have to acquire and maintain, consistent with California Code of Regulations, title 2, section 571(a). The allowance shall not be used for, and does not cover, equipment, tactical gear, duty gear, safety equipment, ammunition, firearms, protective vests, pistols, bullets, safety shoes, or other items solely for personal health and safety. The allowance is payable only while the employee is in a position that requires a uniform and shall be reported to CalPERS as special compensation for classic members as it is earned in each pay period, consistent with Government Code section 20636 and California Code of Regulations, title 2, section 571.

This clarification highlights the following three points:

- a. The uniform allowance is a payment for compensation paid or the monetary value for the purchase, rental, and/or maintenance of required clothing, including clothing made from specially designed protective fabrics, that is a ready substitute for personal attire the employee would otherwise have to acquire and maintain, as described in California Code of Regulations, title 2, section 571(a).
- b. The uniform allowance does not include, and has never included, payment for equipment, tactical gear, duty gear, safety equipment, ammunition, firearms, protective vests, pistols, bullets, safety shoes, or other items solely for personal health and safety. Employees shall not use the uniform allowance for equipment, tactical gear, duty gear, safety equipment, ammunition, firearms, protective vests, pistols, bullets, safety shoes, or other items solely for personal health and safety.
- c. The parties intend that the uniform allowance applies only to required uniforms and related clothing items that are part of the employee's normal duties and are reported periodically as earned. The uniform allowance shall be reported to CalPERS in each pay period in which it is earned and paid, and shall not be reported as a lump-sum covering multiple prior periods.

3. Reportability to CalPERS

The City and the Association agree and stipulate that the uniform allowance described in this Side Letter and Section 7 of the MOU is intended to be reportable special compensation for classic CalPERS members, and shall be reported as earned, consistent with Government Code section 20636 and California Code of Regulations, title 2, section 571. PEPRA members' pensionable compensation is governed by Gov. Code 7522.34 and CCR 571.1, and uniform allowance generally is not pensionable for PEPRA members unless it meets the narrow "normal monthly rate of pay" criteria.

The parties further acknowledge that:

- a. Special compensation under Government Code section 20636 includes compensation for special skills, knowledge, abilities, work assignment, workdays or hours, or other work conditions;
- b. California Code of Regulations, title 2, section 571(a) defines uniform allowance as compensation paid or the monetary value for the purchase, rental and/or maintenance of required clothing; and
- c. California Code of Regulations, title 2, section 571(b) requires that reportable special compensation be contained in a written labor policy or agreement that states the conditions for payment and does not reference another document in lieu of disclosing the item of special compensation.

4. Confirmation of Historical Intent

The parties confirm that the uniform allowance has historically been intended and administered as compensation for required uniforms only, and not for equipment or ammunition. This Side Letter is intended to clarify that historical understanding and to ensure that the written terms of the MOU accurately reflect the parties' agreement for CalPERS reporting purposes.

5. No Other Changes

Except as expressly modified by this Side Letter, all other terms and conditions of the MOU remain unchanged and in full force and effect.

6. Effective Date

This Side Letter shall be effective as of January 1, 2021 subject to approval by the parties' respective authorized representatives and, if required, approval by the City Council.


Date:

5-4-26

For the City:


Human Resources Director

For the Association:


MARYLINDA ARROYO
PMA PRESIDENT

