

**SIDE LETTER AGREEMENT  
BETWEEN THE COMMUNICATIONS OFFICERS' ASSOCIATION  
AND  
THE CITY OF SUNNYVALE  
(Medical Contribution Amount for Salary Survey Purposes)**

This side letter is entered into by and between the designated representatives of the Sunnyvale Communications Officers' Association ("COA") and the City of Sunnyvale ("City").

**RECITALS**

- A. The City and COA have had a longstanding contract provision that provides for an annual salary survey to determine yearly salary increases and describes a detailed methodology and required components for conducting that salary survey.
- B. Historically, the salary survey has reflected a maximum City medical contribution not exceeding the PEMHCA Kaiser +2 contribution for the PERS established Bay Area/Sacramento Region.
- C. However, while completing the 2019 salary survey, the City identified a clerical error in the MOU related to the amount of the City's medical contribution to be considered as part of the survey. It was brought to the attention of staff that the current MOU did not include a provision for including a medical contribution amount in the survey.
- D. Human Resources Staff researched the bargaining history and determined that the survey provisions for medical contribution were inadvertently omitted from the 2015-2017 MOU as a result of a clerical error, and that the same clerical error was carried into the 2018-2021 MOU. Specifically:
  - (1) Article 16.7.2(a)(Medical), of the 2007-2014 MOU stated, "The maximum monthly dollar amount paid by an agency for this benefit; however, the maximum monthly dollar amount paid for medical insurance shall not exceed the PEMHCA Kaiser +2 contribution for PERS established Bay Area/ Sacramento Region. The amount to be reflected as the Sunnyvale medical contribution is \$515.00 per month."
  - (2) Bargaining notes for the 2015-2017 MOU reflect that the last sentence (underlined above) of Article 16.7.2(a) was intended to be removed due to changes in the negotiated medical contribution amount, that the change was for "housekeeping" purposes only and not to change the survey methodology, and that the parties intended the medical contribution for comparison agencies to remain capped at the PEMHCA Kaiser + 2 contribution for the PERS established Bay Area/Sacramento region. The bargaining history is clear that the parties did not discuss or intend to change the way the survey was conducted by eliminating the medical component, that they did not negotiate such a change, and that the intent of both parties was only to eliminate the final sentence of Article 16.7.2(a) as a "clean up" issue.

