



City of Santa Fe, New Mexico

Memorandum



DATE: November 22, 2023

TO: Governing Body

VIA: John Blair, City Manager
Emily Oster, Finance Department Director
Bernadette Salazar, Human Resources Director
Kyra Ochoa, Community Health and Safety Director
Paul Joye, Chief of Police

FROM: Ben Valdez, Deputy Chief of Police

ITEM AND ISSUE:

Request for Approval of the Memorandum of Agreement between the City of Santa Fe and the Santa Fe Police Officers' Association for a one-time retention incentive in the amount of \$1,000 per eligible employee. Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 505-955-5040.

BACKGROUND AND SUMMARY:

The Governing Body has approved a Budget Adjustment Resolution from Gross Receipts Taxes (GRT) in excess of budgeted estimates and available fund balances and a budget allocation for FY2024 for retention incentive pay for certified police positions.

This MOA is a one-time retention payment of \$1,000 per eligible bargaining unit employee. The Parties agree the bargaining unit employee must comply with the following to be eligible for the payment:

- a. To become eligible for the funding the bargaining unit employee must sign an agreement detailing they agree to an additional six months of service with City of Santa Fe.
- b. The agreement must be signed no later than December 4, 2023 and the payment will be made by December 15, 2023.
- c. The intent of this MOA and retention incentive is to help with retention of city employees; therefore, it does not apply to bargaining unit employees on a retirement contract.

ACTION REQUESTED:

The Santa Fe Police Department respectfully requests your review and approval.

**MEMORANDUM OF AGREEMENT BETWEEN CITY OF SANTA FE
AND THE SANTA FE POLICE OFFICER'S ASSOCIATION
FOR A ONE TIME RETENTION PAYMENT**

THIS MEMORANDUM OF AGREEMENT ("MOA") is entered into by and between the City of Santa Fe, NM ("City") and the Santa Fe Police Officer's Association ("Union") for a One Time Retention Payment. The Union and City are collectively referred to as the ("Parties").

WHEREAS, the Union is the collective bargaining representative for the employees covers by this MOA, and

WHEREAS, the city of Santa Fe strives to remain competitive and retain city employees.

WHEREAS, the Governing Body has approved a Budget Adjustment Resolution from Gross Receipts Taxes (GRT) in excess of budgeted estimates and available fund balances and a budget allocation for FY2024 for retention incentive pay for certified police positions.

Now, therefore, the Parties agree to the following:

- I. **EFFECTIVE DATE:** The Parties agree that, so long as both parties sign this MOA, the "effective date" is the date that the last Party executes this MOA.
- II. **TERMS OF MOA:** This MOA is a one-time retention payment of \$1,000 per eligible bargaining unit employee. The Parties agree the bargaining unit employee must comply with the following to be eligible for the payment:
 - a. To become eligible for the funding the bargaining unit employee must sign an agreement detailing they agree to an additional six months of service with City of Santa Fe. (Attachment 1).
 - b. The agreement must be signed no later than December 4, 2023 and the payment will be made by December 15, 2023.
 - c. The intent of this MOA and retention incentive is to help with retention of city employees; therefore, it does not apply to bargaining unit employees on a retirement contract.
- III. **FREELY AND VOLUNTARILY ENTERED:** This MOA has been entered into freely and voluntarily between the Parties, based on their own judgement, knowledge, and information without relying on any promises or understanding except as expressly provided herein.

- IV. **MOA CREATES NO THIRD-PARTY BENEFITS:** By entering into this MOA, the Parties do not intend to create any right, title, or interest in or for the benefit of any person other than the Parties. No person shall claim any right, title, or interest under this MOA or seek to enforce this MOA as a third-party beneficiary of this MOA.
- V. **NO FURTHER AGREEMENT.** This MOA incorporates all the agreements, covenants, and understandings between the parties hereto concerning the payment to be performed hereunder, and all such agreements, covenants, and understandings have been merged into this MOA. This MOA expresses the entire MOA and understanding between the parties. No prior agreement or understanding, verbal or otherwise, between the Parties or their agents shall be valid or enforceable unless embodied in this MOA.
- VI. **SEVERABILITY.** In case any one or more of the provisions contained in this MOA or any application thereof shall be invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein, and any other application thereof shall not in any way be affected or impaired thereby.
- VII. **ELECTRONIC SIGNATURES.** The Parties agree that this MOA may be electronically signed and that the electronic signatures appearing on the agreement are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

IN WITNESS THEREOF, the parties have signed their names and affixed the signatures of their authorized representatives this 9th day of November 2023.

CITY OF SANTA FE



ALAN WEBBER, MAYOR

ATTESTS:



GERALYN CARDENAS (Dec 5, 2023 12:01 MST)

GERALYN CARDENAS, CITY CLERK

GB MTG 11/29/2023

XIV

CITY ATTORNEY'S OFFICE:

For: Christopher W. Ryan

For: Christopher W. Ryan (Nov 25, 2023 13:19 MST)

ERIN MCSHERRY, CITY ATTORNEY

APPROVED:

SFPOA REPRESENTATIVE:



John Blair (Dec 4, 2023 22:30 MST)

JOHN BLAIR, CITY MANAGER



JESSICA SANCHEZ, SFPOA PRESIDENT



Emily K. Oster (Dec 4, 2023 21:49 MST)

EMILY OSTER, FINANCE DIRECTOR



BERNADETTE SALAZAR, HUMAN RESOURCES DIRECTOR












23-0667 Santa Fe Police Officer's Association

Final Audit Report

2023-12-05

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"23-0667 Santa Fe Police Officer's Association" History

-  Document created by Xavier Vigil (xivigil@ci.santa-fe.nm.us)
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-  Signer jwblair@santafenm.gov entered name at signing as John Blair
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Document e-signed by Geralyn Cardenas (gfcardenas@santafenm.gov)

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Agreement completed.

2023-12-05 - 7:01:16 PM GMT