



Legislation Text

File #: 20-363, **Version:** 1

Report Prepared by: Steve S. Carrigan, City Manager

SUBJECT: Approval of a Supplemental Appropriation in the Amount of \$256,084 from the Unencumbered, Unreserved General Fund Balance for the Approved FLSA Settlement Costs with Merced Police Officers Association (MPOA)

REPORT IN BRIEF

Approving a supplemental appropriation in the amount of \$256,084 from the unencumbered, unreserved General Fund balance to cover the approved FLSA Settlement costs with MPOA.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a supplemental appropriation in the amount of \$256,084 from the unencumbered, unreserved General Fund balance to cover the approved Settlement costs with MPOA; and,
- B. Authorizing the Finance Officer to make any necessary budget adjustments and distribute the payments as indicated in the settlement agreements.

ALTERNATIVES

- 1. Approve, as recommended by staff; or,
- 2. Approve subject to other than recommended by staff (identify specific findings and or conditions amended to be addressed by City Council motion); or,
- 3. Deny; or,
- 4. Refer back to staff for reconsideration of specific items (specific items to be addresses in the motion); or
- 5. Continue to a future meeting (date and time to be specified in the motion).

AUTHORITY

Merced City Charter, Section 1105.

DISCUSSION

The settlement agreement related to the McKinnon, et. al. v. City of Merced is currently under review with the United States District Court, Eastern District. If approved the Court's action effectively resolves the case. The Court's action also requires payment under the terms and conditions of the settlement agreement within 14 days. In addition to the class action suit, two additional employees are settling with the City of Merced. In order to be sure to meet the timing for payment, staff is seeking a supplemental appropriation in the amount of \$256,084 from the General Fund.

IMPACT ON CITY RESOURCES

A supplemental appropriation in the amount of \$256,084 is needed from the unreserved, unencumbered General Fund balance in order to pay the settlement agreements with MPOA and the additional two employees.