

RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO AMENDING RESOLUTION NO. 2007-345, SECTION 2, C, INSURANCE; SECTION 2, I, PERS; SECTION 2, B(3), COMPENSATION; AND RESOLUTION NO. 2009-35, SECTION 2, B(8), COMPENSATION; BETWEEN THE CITY AND MANAGEMENT/CONFIDENTIAL EMPLOYEES.

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS:

SECTION 1: Resolution No. 2007-345, Section 2, C, Insurance (Medical, Dental, Vision), is hereby amended as follows:

C. Insurance (Medical, Dental, Vision)

Effective with health care plans beginning January 1, 2011, the City shall contribute a flat rate of \$1,091.81 per month to be used to purchase City-sponsored medical, dental, vision, and life insurance.

SECTION 2: Resolution No. 2007-345, Section 2, I, PERS, is hereby amended by adding as follows:

5. Effective September 1, 2010 newly hired employees will pay the full employee contribution amount of the members' contribution towards PERS retirement.

6. Effective January 1, 2011 the City of San Bernardino will amend the current PERS contract to provide a two-tier retirement benefit of 2% @ 55 for all newly hired employees in the group hired on or after January 1, 2011.

Any member of the bargaining group who is laid off and subsequently rehired will be reinstated to the retirement formula they previously had prior to lay off.

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4 **RESOLUTION NO. 2009-35, SECTION 2, B(8), COMPENSATION; BETWEEN THE**
5 **CITY AND MANAGEMENT/CONFIDENTIAL EMPLOYEES.**

6 SECTION 3: Resolution No. 2007-345, Section 2, B(3), Compensation, is amended by
7 adding as follows:

8 Effective August 16, 2010, all Management/Confidential employees will
9 forego merit increases for the period August 16, 2010 through June 30,
10 2012.

11 SECTION 4: Resolution No. 2009-35, Section 2, B(8), Compensation, is hereby
12 amended as follows:

13 8. Reduced Work Week:

14 A) ALL MEMBERS:

15 Effective September 1, 2010, through June 30, 2012, all members,
16 excluding those due to health or safety concerns as determined by the City
17 Manager, of the Management/Confidential Unit will continue to
18 participate in a 9/36 work week or other scheduled as determined by the
19 Department Head. The reduced work week will equate to approximately a
20 ten percent (10%) pay reduction.

21 Members who are not able to work a reduced work week, due to health or
22 safety concerns as determined by the City Manager, will need to meet the
23 ten percent (10%) reduction in another manner.

24 Employees not participating in the reduced work week due to health
25 and/or safety reasons, as determined by the City Manager, will need to
meet the ten percent (10%) reduction in another manner. In return, these

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6 employees will be provided with four (4) hours of leave time per week to
7 be used at their discretion in the same manner as vacation leave. These
8 hours will have neither an expiration date nor cash value.

9 **B) ALL CITY ATTORNEY'S OFFICE STAFF:**

10 Effective September 1, 2010, through June 30, 2012, all City Attorney's
11 Office staff agree to continue to take a ten percent (10%) reduction in pay
12 based on the currently approved monthly salary. Staff will not participate
13 in the reduced work week.

14 The salary reduction will be administered each payroll period and
15 reflected on the members' semi-monthly payroll checks. In return, these
16 employees will be provided with four (4) hours of leave time per week to
17 be used at their discretion, subject to the approval of the City Attorney, in
18 the same manner as vacation leave. These hours will have neither an
19 expiration date nor cash value.

20 **C) ALL MEMBERS:**

21 The City and SBCMA agree that if the economy were to improve prior to
22 June 30, 2012, the following "trigger" language would be followed:

23 "The City agrees to restore the ten percent (10%) employee
24 concession prior to June 30, 2012 if sales tax, utility tax, and
25 property tax totals restore to the FY 07-08 levels or if the City of
San Bernardino receives a Federal or State bailout or other
windfall that can be applied to the General Fund with no

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6 limitations equal to or greater than the amount of savings achieved
7 through the employee concessions.”

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5 CITY AND MANAGEMENT/CONFIDENTIAL EMPLOYEES.

6 I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Mayor and
7 the Common Council of the City of San Bernardino at a joint regular meeting thereof, held
8 on 16th day of August, 2010, by the following vote, to wit:

COUNCILMEMBERS:	AYES	NAYES	ABSTAIN	ABSENT
9 MARQUEZ	<u>X</u>	_____	_____	_____
10 DESJARDINS	<u>X</u>	_____	_____	_____
11 BRINKER	<u>X</u>	_____	_____	_____
12 SHORETT	<u>X</u>	_____	_____	_____
13 KELLEY	<u>X</u>	_____	_____	_____
14 JOHNSON	<u>X</u>	_____	_____	_____
MCCAMMACK	<u>X</u>	_____	_____	_____

15 Rachel G. Clark
16 Rachel G. Clark, City Clerk

17
18 The foregoing resolution is hereby approved this 18th day of August, 2010.

19 Patrick J. Morris
20 Patrick J. Morris, Mayor
City of San Bernardino

21 Approved as to form:

22 JAMES F. PENMAN,
23 City Attorney

24 By: James F. Penman *
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* This resolution provides that if ~~any~~ ^{any} less in FY 2009/2010 are restored first dollars 50 to off-setting the 10% reduction rather than providing the first dollar AFTER the recovery go to off-setting the 10% reduction. But the law is 11.1