Resolution No. 2007-346

RESOLUTION OF THE CITY OF SAN BERNARDINO APPROVING A SIDE LETTER TO RESOLUTION NO. 2007-343, RESOLUTION OF THE CITY OF SAN BERNARDINO AND EMPLOYEES IN THE MIDDLE-MANAGEMENT BARGAINING UNIT OF THE CITY OF SAN BERNARDINO REPRESENTED BY THE SAN BERNARDINO PUBLIC EMPLOYEES ASSOCIATION AMENDING ARTICLE III, COMPENSATION, SECTION 1, WAGES.

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

SECTION 1: The Mayor of the City of San Bernardino and the Director of Human Resources are hereby authorized and directed to execute on behalf of said City a Side Letter to Resolution No. 2007-343, amending Article III, Compensation, Section 1, Wages, by adding Subsections A, B, and C, a copy of which amendments are attached hereto and incorporated herein marked as Exhibit A.

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RESOLUTION OF THE CITY OF SAN BERNARDINO APPROVING A SIDE LETTER TO RESOLUTION NO. 2007-343, . . . AMENDING ARTICLE III, COMPENSATION, SECTION 1, WAGES.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Mayor and the Common Council of the City of San Bernardino at a joint regular meeting thereof, held on 20th day of August, 2007, by the following vote, to wit:

COUNCILMEMBERS:	AYES	NAYES	ABSTAIN	ABSENT
ESTRADA	X			
BAXTER	X			
BRINKER	X			
DERRY	X			
KELLEY	X			
JOHNSON	X			
MCCAMMACK	X			

Rachel G. Clark
Rachel G. Clark, City Clerk

The foregoing resolution is hereby approved this 22nd day of August, 2007.

Patrick J. Morris, Mayor
City of San Bernardino

Approved as to form:

JAMES F. PENMAN,
City Attorney

By: James F. Penman

HR/Agenda Items:Reso.Side.Ltr.Mid-Mgmt.Class.Study.2007

MID-MANAGEMENT UNIT
CLASSIFICATION STUDY

The following sets forth the Side Letter to Resolution No. 2007-343 for full-time, regular, Mid-Management Unit Employees. The term of this side letter shall be from September 1, 2007 through July 31, 2010.

ARTICLE III, COMPENSATION, SECTION 1, Wages

A. The City shall conduct a salary survey of Mid-Management Unit benchmark classifications to be completed on or about 9/01/07. The City will use current job descriptions to determine comparable positions in five similar size cities in our surrounding labor market. The City will determine the benchmark positions to be surveyed. Salary levels for non-benchmark classifications will be established using internal relationship guidelines among related job classes.

1. Classifications with salaries below the survey median shall be increased as follows:

   0 – 5% below median, corresponding salary increase- on or about 9/1/07
   5 – 10% below median corresponding salary increase- on or about 7/1/08
   10 – 15% below median corresponding salary increase- on or about 7/1/09
   15% - 20% below median, corresponding salary increase- on or about 7/1/10
   20% cap on salary increases

   In no event shall any increase be greater than 5% in any fiscal year.

2. The following Cities are to be used for the classification study:

   Riverside
   Moreno Valley
   Fontana
   Ontario
   Pomona

B. Notwithstanding the provisions set forth in Section A above, the implementation of the proposed median salary survey may be postponed by one fiscal year commencing the next fiscal year, if any of the following occur:

1. The City's actual General Fund expenditures and revenues being budgeted create a financial anomaly as outlined below:

   a. Unfunded state mandates that create a substantial financial anomaly;

b. Voter approved changes to the City's Charter that create a substantial financial anomaly;

c. Litigation that would create a substantial financial anomaly;

d. Federal, State, or County fees and/or take-aways that create a substantial financial anomaly;

e. Natural disaster or other catastrophic event over which the City has little or no control, e.g., economic recession and/or depression, terrorist attack, act of war, which creates a substantial financial anomaly;

2. If the City's Budget Reserve must be used to balance the City's budget because of a substantial financial anomaly (including staffing required by this MOU) causing the City's Budget Reserve to fall below 5% of the total General Fund deductions.

C. The City will agree to meet and confer only if the agreed-to implementation schedule is not followed. In the event of a postponement, the implementation schedule set forth in Section A, Subsection 1, shall move forward a period of time equal to the period of such postponement.

DATE: 8/23/07

ATTEST: Rachel G. Clark
City Clerk

FOR THE CITY:

PATRICK J. MORRIS, Mayor
City of San Bernardino

LINN LIVINGSTON
Director of Human Resources

REPRESENTATIVES OF:

MID-MANAGEMENT UNIT EMPLOYEES

Thomas M. Ramsey
San Bernardino Public Employees' Association (SBPEA)

George J. Hawkins