

City of Brisbane

Staff Report

To: Honorable Mayor and City Council

From: Senior Human Resources Analyst

Subject: Approve Resolutions 2009-34, 2009-35, 2009-36, 2009-37 and 2009-38 related to changes in the Confidential Employees, Confidential Management, Executive Management, Mid-Management/Professional Employees Units Memorandum of Understandings and the Hourly Employees Pay Scale.

Date: Meeting of June 15, 2009

Purpose: Maintain the long-term financial health of the City.

Recommendation: Adopt Resolutions 2009-34, 2009-35, 2009-36, 2009-37, and 2009-38

Background:

April 2001 - City Council approved a contract for all bargaining groups through June 2008
July 17, 2006 - City Council approved an amended contract for General Employees, Midmanagement/Professional, Confidential, Executive Management, and Confidential Management extending the contract through June 2011.

January 22, 2009 – Staff sent notification to bargaining with closed contracts invoking the recession clause of the contract and indicating we were interested in eliminating the Cost of Living Adjustment (COLA) for the remainder of the contract.

Discussion:

The contract extensions in 2006 had a number of specific provisions. One was to provide a Cost of Living Adjustment to employees based on the Consumer Price Index. A second was to allow the City to meet and confer concerning financial aspects of the contract if the Country was in a recession. As noted above the City has been meeting with our employee groups since January to discuss the impact of the recession on the City and a method for ensuring the long-term financial health of the City.

Four bargaining groups have signed a Tentative Agreement which would eliminate the COLA for the next two fiscal years as well as changing the Administrative Leave from being either a time-off or cash benefit to a time-off only benefit. Two weeks of Administrative Leave can be provided to salaried employees who have demonstrated a high performance level in the previous year. Hourly employees do not consist of a bargaining unit and we do not meet and confer regarding compensation issues.

These changes need to be accepted by the City Council and approved in the attached Resolutions.

Fiscal Impact:

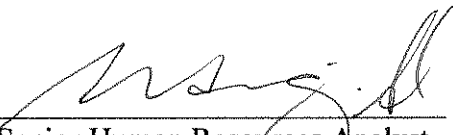
The fiscal impact of the COLA provision is between 2.5% and 5% per year depending on the CPI for the San Francisco area. This will save the City between \$125,000 and \$250,000 a year on an on-going basis. The administrative leave provision will save the City about \$94,000 a year.

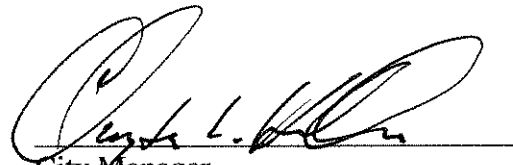
Measure of Success:

Does the City maintain the 50% reserves over the 5-year projection as outlined in its General Fund Reserve Policy.

Attachments:

Resolution 2009-34
Resolution 2009-35
Resolution 2009-36
Resolution 2009-37
Resolution 2009-38



Senior Human Resources Analyst

City Manager

RESOLUTION 2009 - 34

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF BRISBANE AMENDING THE CURRENT
MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BRISBANE AND THE CONFIDENTIAL EMPLOYEES GROUP
EFFECTIVE JULY 1, 2009 THROUGH JUNE 30, 2011**

WHEREAS, on May 18, 2001, the City Council approved Resolution 2001-28 concerning the Memorandum of Understanding between the City of Brisbane and the Confidential Employees Group; and

WHEREAS, on July 17, 2006, the City Council approved Resolution 2006-39 amending the Memorandum of Understanding between the City of Brisbane and the Confidential Employees Group; and

WHEREAS, since the adoption of Resolution 2006-39, the City Council has invoked their right to review the current Memorandum of Understanding, per Article 1. Preamble, based on the current recession the nation is currently facing and have requested to amend Article 5. Classification and Pay Plans;

WHEREAS, the City of Brisbane and the Confidential Employees Group have met and conferred in accordance with the requirements of the Meyers-Millias-Brown Act; and

WHEREAS, the Memorandum of Understanding with the Confidential Employees Group is amended as follows:

- A. Article 5.A.5, Salaries, shall be deleted from the Memorandum of Understanding between the Confidential Employees Group and the City of Brisbane, effective July 1, 2009.
- B. Article 5.B.1, Additional Compensation, shall be replaced with the following language:

Administrative Leave - The department head, with approval from the City Manager, may grant up to 10 days of Administrative Leave annually to confidential employees as a part of the annual written performance evaluation in recognition of solid and consistent performance and significant contribution of time and effort over the past year. Employees awarded such leave shall receive it in the form of time off. Such time off is to be taken within one year from the date it is granted, and may not be carried over into the subsequent year.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brisbane that the Memorandum of Understanding between the City of Brisbane and the Confidential Employees Group as adopted by Resolution 2001-28 and 2006-39 be amended as noted above.

A. SEPI RICHARDSON
Mayor

I hereby certify that the foregoing Resolution No. 2009-34 was duly and regularly adopted at a regular meeting of the Brisbane City Council on June 15, 2009, by the following vote:

AYES:
NOES;
ABSENT:

SHERI MARIE SPEDIACCI
City Clerk

RESOLUTION 2009 - 35

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF BRISBANE AMENDING THE CURRENT
MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BRISBANE AND
THE CONFIDENTIAL MANAGEMENT EMPLOYEES GROUP
EFFECTIVE JULY 1, 2009 THROUGH JUNE 30, 2011**

WHEREAS, on November 17, 2003, the City Council approved Resolution 2003-50 concerning the Memorandum of Understanding between the City of Brisbane and the Confidential Management Employees Group; and

WHEREAS, on July 17, 2006, the City Council approved Resolution 2006-40 amending the Memorandum of Understanding between the City of Brisbane and the Confidential Management Employees Group; and

WHEREAS, since the adoption of Resolution 2006-40, the City Council has invoked their right to review the current Memorandum of Understanding, per Article 1. Preamble, based on the current recession the nation is currently facing and have requested to amend Article 5. Classification and Pay Plans;

WHEREAS, the City of Brisbane and the Confidential Management Employees Group have met and conferred in accordance with the requirements of the Meyers-Millias-Brown Act; and

WHEREAS, the Memorandum of Understanding with the Confidential Management Employees Group is amended as follows:

- A. Article 5.A.4, Salaries, shall be deleted from the Memorandum of Understanding between the Confidential Management Employees Group and the City of Brisbane, effective July 1, 2009.
- B. Article 5.B.2., Additional Compensation, shall be replaced with the following language:

The City Manager may grant up to 10 days management incentive leave annually to Confidential Management employees in recognition of performance and significant contributions. Employees awarded such leave shall receive it in the form of time off. Such time off is to be taken within one year from the date it is granted, and may not be carried over into the subsequent year. An evaluation of the employee's performance shall be written by the City Manager when said leave is granted.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brisbane that the Memorandum of Understanding between the City of Brisbane and the Confidential Management Employees Group as adopted by Resolution 2003-50 and 2006-40 be amended as noted above.

A. SEPI RICHARDSON
Mayor

I hereby certify that the foregoing Resolution No. 2009-35 was duly and regularly adopted at a regular meeting of the Brisbane City Council on June 15, 2009, by the following vote:

AYES:
NOES;
ABSENT:

SHERI MARIE SPEDIACCI
City Clerk

RESOLUTION 2009 - 36

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF BRISBANE AMENDING THE CURRENT
MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BRISBANE AND
THE EXECUTIVE MANAGEMENT EMPLOYEES GROUP
EFFECTIVE JULY 1, 2009 THROUGH JUNE 30, 2011**

WHEREAS, on April 23, 2001, the City Council approved Resolution 2001-24 concerning the Memorandum of Understanding between the City of Brisbane and the Executive Management Employees Group; and

WHEREAS, on July 17, 2006, the City Council approved Resolution 2006-41 amending the Memorandum of Understanding between the City of Brisbane and the Executive Management Employees Group; and

WHEREAS, since the adoption of Resolution 2006-41, the City Council has invoked their right to review the current Memorandum of Understanding, per Article 1. Preamble, based on the current recession the nation is currently facing and have requested to amend Article 5. Classification and Pay Plans;

WHEREAS, the City of Brisbane and the Executive Management Employees Group have met and conferred in accordance with the requirements of the Meyers-Millias-Brown Act; and

WHEREAS, the Memorandum of Understanding with the Executive Management Employees Group is amended as follows:

- A. Article 5.A.4, Salaries, shall be deleted from the Memorandum of Understanding between the Executive Management Employees Group and the City of Brisbane, effective July 1, 2009.
- B. Article 5.B.2., Additional Compensation, shall be replaced with the following language:

The City Manager may grant up to 10 days management incentive leave annually to Executive Management employees in recognition of performance and significant contributions. Employees awarded such leave shall receive it in the form of time off. Such time off is to be taken within one year from the date it is granted, and may not be carried over into the subsequent year. An evaluation of the employee's performance shall be written by the City Manager when said leave is granted.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brisbane that the Memorandum of Understanding between the City of Brisbane and the Executive Management Employees Group as adopted by Resolution 2001-24 and 2006-41 be amended as noted above.

A. SEPI RICHARDSON
Mayor

I hereby certify that the foregoing Resolution No. 2009-36 was duly and regularly adopted at a regular meeting of the Brisbane City Council on June 15, 2009, by the following vote:

AYES:
NOES;
ABSENT:

SHERI MARIE SPEDIACCI
City Clerk

RESOLUTION 2009 - 37

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF BRISBANE AMENDING THE CURRENT
MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BRISBANE AND
THE MID-MANAGEMENT/PROFESSIONAL EMPLOYEES GROUP
EFFECTIVE JULY 1, 2009 THROUGH JUNE 30, 2011**

WHEREAS, on May 29, 2001, the City Council approved Resolution 2001-40 concerning the Memorandum of Understanding between the City of Brisbane and the Mid-Management/Professional Employees Group; and

WHEREAS, on July 17, 2006, the City Council approved Resolution 2006-38 amending the Memorandum of Understanding between the City of Brisbane and the Mid-Management/Professional Employees Group; and

WHEREAS, since the adoption of Resolution 2006-38, the City Council has invoked their right to review the current Memorandum of Understanding, per Article 1. Preamble, based on the current recession the nation is currently facing and have requested to amend Article 5. Classification and Pay Plans;

WHEREAS, the City of Brisbane and the Mid-Management/Professional Employees Group have met and conferred in accordance with the requirements of the Meyers-Millias-Brown Act; and

WHEREAS, the Memorandum of Understanding with the Mid-Management/Professional Employees Group is amended as follows:

- A. Article 5.A.5, Salaries, shall be deleted from the Memorandum of Understanding between the Mid-Management/Professional Employees Group and the City of Brisbane, effective July 1, 2009.
- B. Article 5.B.2, Additional Compensation, shall be replaced with the following language:

Administrative Leave - The department head, with approval from the City Manager, may grant up to 10 days of Administrative Leave annually to Mid-Management/Professional employees as a part of the annual written performance evaluation in recognition of solid and consistent performance and significant contribution of time and effort over the past year. Employees awarded such leave shall receive it in the form of time off. Such time off is to be taken within one year from the date it is granted, and may not be carried over into the subsequent year.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brisbane that the Memorandum of Understanding between the City of Brisbane and the Mid-Management/Professional Employees Group as adopted by Resolution 2001-40 and 2006-38 be amended as noted above.

A. SEPI RICHARDSON
Mayor

I hereby certify that the foregoing Resolution No. 2009-37 was duly and regularly adopted at a regular meeting of the Brisbane City Council on June 15, 2009, by the following vote:

AYES:
NOES;
ABSENT:

SHERI MARIE SPEDIACCI
City Clerk

RESOLUTION 2009-38

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF BRISBANE REGARDING THE
PAY SCALE FOR THE HOURLY EMPLOYEES**

WHEREAS, on July 21, 2008, the City Council adopted Resolution No. 2008-35, wherein the City established the new pay plan for hourly employees; and

WHEREAS, the City has exercised the option to review and modify Resolution No. 2008-35 based on the current recession the Nation is currently facing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brisbane as follows:

- 1) Effective July 1, 2009, no wage increase to the hourly pay plan will be implemented.
- 2) The change shall apply to all hourly employees.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brisbane that the classifications, compensation and terms of such employment be adopted as set forth in Exhibit A and is incorporated by reference as though fully set forth herein.

A. SEPI RICHARDSON
Mayor

I hereby certify that the foregoing Resolution No. 2009-38 was duly and regularly adopted at a regular meeting of the Brisbane City Council on June 15, 2009, by the following vote:

AYES:
NOES:
ABSENT:

SHERI MARIE SPEDIACCI
City Clerk