

City of Brisbane
Staff Report

To: Honorable Mayor and City Council

From: Senior Human Resources Analyst

Subject: Approve Resolutions 2009-45 related to changes in the Police Commander Association Memorandum of Understanding

Date: Meeting of September 21, 2009

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

Recommendation: Adopt Resolutions 2009-45

Background:

January 5, 2009 – City Council approved a new contract for the Police Commander Association
January 22, 2009 – Staff sent notification to all bargaining units 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 current Police Commander Association agreement includes several 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 met 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. To date, five of our employee groups with closed contracts have made amendments to eliminate the COLA, as well as adjust the administration of Administrative Leave to a time-off benefit only.

The Police Commander Association has signed a Tentative Agreement which would eliminate the COLA for the remainder of their contract (June 30, 2010) as well as change 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.

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

Fiscal Impact:

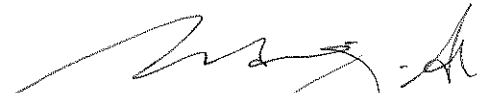
The fiscal impact of the COLA provision is between 3% and 6% per year depending on the CPI for the San Francisco area. This will save the City between \$10,978 and \$21,956 a year on an on-going basis. The administrative leave provision will save the City about \$14,496 a year.

Measure of Success:

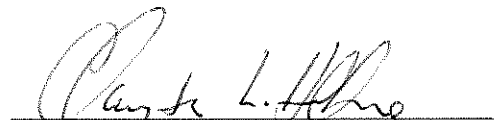
Does the City maintain the 50% reserves over the 5-year projection as outlined in its General Fund Reserve Policy.

Attachments:

Resolution 2009-45



Senior Human Resources Analyst



City Manager

RESOLUTION 2009 - 45

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF BRISBANE AMENDING THE CURRENT
MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BRISBANE AND THE POLICE COMMANDER ASSOCIATION
EFFECTIVE JULY 1, 2009 THROUGH JUNE 30, 2010**

WHEREAS, on January 5, 2009, the City Council approved Resolution 2009-04 concerning the Memorandum of Understanding between the City of Brisbane and the Police Commander Association; and

WHEREAS, since the adoption of Resolution 2009-04, 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 Police Commander Association have met and conferred in accordance with the requirements of the Meyers-Millias-Brown Act; and

WHEREAS, the Memorandum of Understanding with the Police Commander Association is amended as follows:

- A. Article 5.A.3, Salaries, shall be deleted from the Memorandum of Understanding between the Police Commander Association 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 Police Commander Association as adopted by Resolution 2009-04 be amended as noted above.

A. SEPI RICHARDSON
Mayor

I hereby certify that the foregoing Resolution No. 2009-45 was duly and regularly adopted at a regular meeting of the Brisbane City Council on September 21, 2009, by the following vote:

AYES:
NOES;
ABSENT:

SHERI MARIE SPEDIACCI
City Clerk