

RESOLUTION NO. 3377-2010

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AFFIRMING SIDE LETTER OF AGREEMENT AMENDING THE FORT BRAGG POLICE ASSOCIATION MEMORANDUM OF UNDERSTANDING

WHEREAS, the City of Fort Bragg ("City") and the Fort Bragg Police Association ("FBPA") have entered into a Memorandum of Understanding ("MOU") with effective dates of January 1, 2007 to December 31, 2010; and

WHEREAS, Article V Section 1 of the MOU addresses cost of living adjustments; and

WHEREAS, the FBPA members and the City of Fort Bragg have been in discussions to find salary savings to address a budgetary deficit; and

WHEREAS, the FBPA members have consulted with the CITY and have agreed to suspend a provision of Article V Section 1 (January 1, 2010 COLA) in the negotiated MOU, and both the FBPA and the CITY agree to these changes; and

WHEREAS, the parties agree as follows:

1. That the MOU provision for a January 1, 2010 4% COLA be suspended on July 1, 2010;
2. That effective July 1, 2010 there will be a rollback of salaries to levels prescribed by the 2010 salary survey prepared in accordance with Initiative Measure D, Ordinance 672, but no less than their prior salary before the Measure D, Ordinance 672 salary survey of January 1, 2010 was implemented;
3. That the existing MOU between the City and the FBPA dated January 1, 2007 through December 31, 2010, will be extended through December 31, 2011;
4. That during the period between July 1, 2010 and June 30, 2011, the City will not consider any further staff reductions in the FBPA represented group;
5. That if a Fort Bragg Police Association member leaves of his or her own free will the vacant position will not be frozen or eliminated and the Chief of Police will be able to fill the spot immediately;
6. That Article XI Section 6 governing "Callback" be modified to read, "The Association and City agree that callback shall be paid at one (1) hour minimum at time and one-half (1.5) pay."; and

WHEREAS, both the City and the FBPA desire to amend the MOU as described in a side letter of agreement, the terms of which are as described above, and have indicated agreement by signing said letter; and

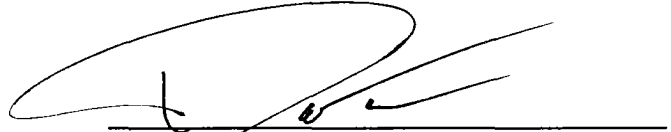
WHEREAS, the effective date of the side letter of agreement is April 29, 2010.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby affirm the side letter of agreement dated April 29, 2010 amending the FBPA MOU.

The above and foregoing Resolution was introduced by Councilmember Melo, seconded by Councilmember Gjerde, and passed and adopted at a regular meeting of


the City Council of the City of Fort Bragg held on the 14th day of June, 2010, by the following vote:

AYES: Councilmembers Courtney, Gjerde, Melo, and Vice Mayor Turner.
NOES: None.
ABSENT: Mayor Hammerstrom.
ABSTAIN: None.

A handwritten signature in black ink, appearing to read 'Dave Turner', is written over a horizontal line.

**DAVE TURNER,
Vice Mayor**

ATTEST:


Cynthia M. VanWormer, CMC
City Clerk



CITY OF FORT BRAGG
416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE 707/961-2823 FAX 707/961-2802

**SIDE LETTER
BETWEEN**

CITY OF FORT BRAGG

AND

FORT BRAGG POLICE ASSOCIATION

WHEREAS, the City of Fort Bragg ("City") and the Fort Bragg Police Association ("FBPA") have entered into a Memorandum of Understanding ("MOU") with effective dates of January 1, 2007 to December 31, 2010; and

WHEREAS, Article V Section 1 of the MOU addresses cost of living adjustments; and

WHEREAS, the FBPA members and the City of Fort Bragg have been in discussions to find salary savings to address a budgetary deficit; and

WHEREAS, the FBPA members have consulted with the CITY and have agreed to SUSPEND a provision of Article V Section 1 (January 1, 2010 COLA) in the negotiated MOU, and both the FBPA and the CITY agree to these changes.

NOW THEREFORE, the parties agree as follows:

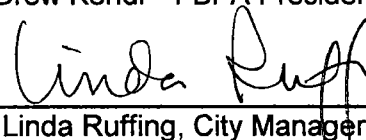
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6. That Article XI Section 6 governing "Callback" be modified to read, "The Association and City agree that callback shall be paid at one (1) hour minimum at time and one-half (1.5) pay."

Dated: 4-29-10



Drew Kendl—FBPA President

Dated: 4.29.10



Linda Ruffing, City Manager