

TOWN OF PARADISE

RESOLUTION NO. 09-35

**RESOLUTION ADOPTING THE AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING
COVERING THE PERIOD FROM MARCH 10, 2009 THROUGH JUNE 30, 2009
BETWEEN THE TOWN OF PARADISE AND THE TOWN OF PARADISE
FIRE MID-MANAGEMENT ASSOCIATION EFFECTIVE THROUGH JUNE 30, 2010.**

WHEREAS, Resolution No. 81-23 establishes procedures for Employee-Employer relations; and

WHEREAS, the Meyers-Millias-Brown Act of the State of California, commencing with Government Code Section 3500, requires certain procedures to be followed regarding Employee-Employer relations; and

WHEREAS, the Town Council has directed the Town Manager to meet and confer in good faith with members of the Town of Paradise Fire Mid-Management Association, and they have so met.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Paradise as follows:

Section 1. That the attached Amendment to the Memorandum of Understanding between the Town of Paradise and the Town of Paradise Fire Mid-Management Association is approved for execution by the Town Manager.

Section 2. Furthermore, the Town Manager is hereby authorized to make appropriate adjustments to the Town's annual budget, including implementation of necessary administrative changes as may be required, to implement the terms and conditions set forth in the MOU.

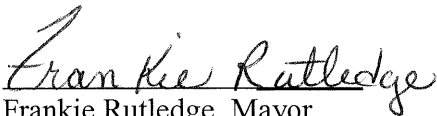
PASSED AND ADOPTED by the Town Council of the Town of Paradise this 11th of August, 2009 by the following vote:

AYES: Steve "Woody" Culleton, Joe DiDuca, Scott Lotter,
Alan White and Frankie Rutledge, Mayor

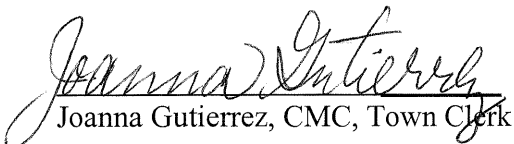
NOES: None

ABSENT: None

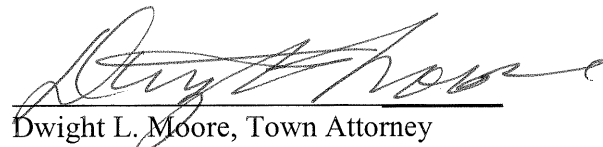
NOT VOTING: None


Frankie Rutledge, Mayor

ATTEST:


Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:


Dwight L. Moore, Town Attorney

**AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF PARADISE AND FIRE MID-
MANAGEMENT ASSOCIATION FROM MARCH 10, 2009 TO
JUNE 30, 2009, RESOLUTION NO. 09-12**

The Memorandum of Understanding (MOU) between the Town of Paradise (TOWN) and the Fire Mid-Management Association (ASSOCIATION) dated March 10, 2009 shall be amended as follows:

1. *Notwithstanding any other provision in the MOU, for the Fiscal Year 2009-10 the Town and the Association agree:*
 - a. **Employee PERS Contribution** – The Association members shall pay the cost of ½ of Employee PERS retirement of 4.5% for one (1) fiscal year effective the beginning of the next pay period. After one (1) fiscal year, the Town and the Association shall re-negotiate whether to continue the contribution for an additional year or have such member contribution terminate on June 30, 2010.
 - b. **Administrative Leave** – The Association members shall waive Administrative Leave Pay for fiscal year 2009/10 only.
 - c. If the Town pursues any further concessions with the Association, then all items, including PERS contribution, administrative leave and future employee benefits will be considered as unresolved and open for further discussion.
2. *The following amendments to the MOU shall be effective on 07-01-09:*
 - a. MOU Article VIII, 8.3, Section D shall be added to read: As of July 1, 2009 new Association members shall be subject to the vesting schedule attached as Exhibit "A" to receive medical benefits upon retirement from the Town pursuant to Government Code section 22893. The vesting schedule is applicable only to the retired employee. One hundred (100) percent of the additional premiums related to spousal or family coverage are the financial responsibility of the retiree. *(In accordance with CalPERS contract regulations, this will only go into affect once agreement has been reached by the safety groups within the Town of Paradise.)*
 - b. MOU Article XI, 11.1, Section D shall be added and read: As of July 1, 2009 new Association members of The Fire Mid-Management Association shall pay 50 percent of the Employee PERS Rate, which is 4.5 percent, and the Town will pay the remaining 4.5 percent.

Dated: August 11th, 2009


Town Manager

Association Representative(s):


President

Vice President