

**TOWN OF PARADISE  
RESOLUTION NO. 10- 43  
RESOLUTION ADOPTING THE AMENDMENT TO THE  
MEMORANDUM OF UNDERSTANDING  
BETWEEN THE TOWN OF PARADISE AND THE TOWN OF PARADISE  
POLICE OFFICERS ASSOCIATION**

**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 Police Officers 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 Police Officers 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 9<sup>th</sup> day of November, 2010 by the following vote:

<b>AYES:</b>	Steve "Woody" Culleton, Joe DiDuca, Frankie Rutledge, Alan White and Scott Lotter, Mayor
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>NOT VOTING:</b>	None



Scott Lotter, Mayor

**ATTEST:**

By:   
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 THE PARADISE POLICE OFFICERS ASSOCIATION**

This Amendment, dated November 9, 2010, is to the Memorandum of Understanding between the Town of Paradise (TOWN) and the Paradise Police Officers Association (ASSOCIATION), dated November 4, 2009.

WHEREAS, the Town of Paradise and the Town of Paradise Police Officers Association agree to amend the sections of Article 6. Longevity Pay, Article 13. Retirement Plan and Article 27. Term of the Memorandum of Understanding.

NOW, Therefore, the Town and Association agree to amend the Memorandum of Understanding as follows:

**Section 1. Article 6 shall be amended to read:**

**ARTICLE 6. LONGEVITY PAY**

The Town will provide a longevity pay program for employees who qualify, with the following amounts:

- 6.1 TEN YEARS  
An amount equal to two and one-half percent (2.5%) of salary at the employee's anniversary for ten (10) years of service.
- 6.2 FIFTEEN YEARS  
An additional amount equal to two and one-half percent (2.5%) for a total of five (5.0%) of salary at the employee's anniversary for fifteen (15) years of service.
- 6.3 TWENTY YEARS  
Effective November 22, 2010, an additional amount equal to two and one-half percent (2.5%) for a total of seven and one half (7.5%) of salary at the employee's anniversary for twenty (20) years of service.

**AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING  
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**Section 2. Article 13 shall be amended to read:**

**ARTICLE 13. RETIREMENT PLAN**

13.1 RETIREMENT PLAN

- A. The Town shall provide current public safety employees in the Association a retirement plan under PERS at three percent at age fifty (3%@50) formula for safety members and two percent at age fifty-five (2%@55) retirement for all miscellaneous employees in the Association. These first tier PERS plans shall also include:
- The one-year final compensation retirement benefit (Section 20042) for both public safety and miscellaneous employees,
  - Military service credit (Section 21024) for both public safety and miscellaneous employees
  - Fourth level of 1959 Survivor Benefits (Section 21574) for both public safety and miscellaneous employees, while employed with the Town.
- B. The Town shall provide public safety employees in the Association hired after January 1, 2011, a retirement plan under PERS of three percent at age fifty-five (3%@55) and shall provide miscellaneous employees in the Association hired after January 1, 2011, a retirement plan under PERS of two percent at age sixty (2%@60). These second tier PERS plans shall also include:
- The three year final compensation retirement benefit (Government Code Section 20037) for both public safety and miscellaneous employees,
  - Military service credit (Section 21024) for both public safety and miscellaneous employees
  - Fourth level of 1959 Survivor Benefits (Section 21574) for both public safety and miscellaneous employees, while employed with the Town.
- C. The Town and Association have agreed to a gradual implementation of employees paying their own member contributions towards their PERS retirement Plan as described below. Please refer to "Exhibit A" for corresponding salary pay plan.
1. Effective the first full pay period following November 1, 2009 the miscellaneous employees in the unit shall pay three and one-half percent (3.5%) for the contribution rate pre-tax and the Town shall pay the remaining three and one-half percent (3.5%) of the contribution rate for

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the miscellaneous member retirement plan.

2. Effective the first full pay period following November 1, 2010 the miscellaneous employees in the unit shall pay seven percent (7%) for the contribution rate pre-tax and the Town shall pay none of the contribution rate for the miscellaneous member retirement plan.
  3. The Town shall provide the Public Employees Retirement System (PERS) 3% at 50 retirements for all safety employees in the unit. The PERS plan shall also include the fourth level of 1959 Survivor Benefits (Section 21574), while employed with the Town. Effective the first full pay period following November 1, 2009 the safety employees in the unit shall pay four and one-half percent (4.5%) for the contribution rate pre-tax and the Town shall pay the remaining four and one-half percent (4.5%) of the contribution rate for the safety member retirement plan.
  4. Effective the first full pay period following November 1, 2010 the safety employees in the unit shall pay nine percent (9%) for the contribution rate pre-tax and the Town shall pay none of the contribution rate for the safety member retirement plan.
- D. The Town will continue to provide the (reporting the value of) EPMC option paid by the Town under PERS regulations for both the public safety and miscellaneous employees in the unit by contributing half of the respective rate of 4.5% for safety and 3.5% for miscellaneous from the first full pay period following November 1, 2009. Following the first full pay period after November 1, 2010, the Town shall cease to provide this benefit as the EPMC will be paid by the employee in full at that time.
- 13.2 Such retirement plan may not be changed during the term of this agreement, except by the mutual consent of the Town and the Association. The Town agrees to explore the legality of allowing employee's share of PERS contribution to be tax deferred under IRS rules, and if legal to implement the IRS exemption concurrently with implementation of the PERS Retirement Plan.
- 13.3 The Town and Association agree to open negotiations on the question of Social Security and/or Medi-Care cost should the Federal government mandate changes in such programs on existing employees during the term of this Agreement.

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**Section 3. Article 27 shall be amended to read:**

**ARTICLE 27. TERM**

**27.1. NEGOTIATION FOR A SUCCESSOR AGREEMENT**

The Town and Association shall commence negotiations regarding a new Memorandum of Understanding on July 1, 2012. An impasse concerning the matters under negotiations shall be declared automatically if full and entire agreement on the terms of a successor Memorandum of Understanding is not reached by October 31, 2012, unless the parties mutually agree to continue negotiations.

**27.2 TERM OF AGREEMENT**

This Memorandum of Understanding shall be effective November 1, 2009, and November 9<sup>th</sup>, 2010 as to this Amendment, except for those provisions of the Memorandum of Understanding which have been assigned other effective dates as hereinabove set forth and shall remain in full force and effect to and including the thirty-first (31st) day of October, 2012, at 11:59 p.m.

**Section 4.** Any conflict between this Amendment and the Memorandum of Understanding shall be controlled by this Amendment.

Dated: November 9, 2010



Town Manager

Association Representative(s):



President

**TOWN OF PARADISE SALARY PAY PLAN**  
**TOWN OF PARADISE POLICE OFFICERS ASSOCIATION**  
**Exhibit "A"**

<b>Position Title</b>	<b>Hours/Week</b>	<b>A Step</b>	<b>B Step</b>	<b>C Step</b>	<b>D Step</b>	<b>E Step</b>	<b>F Step</b>
<b>POLICE OFFICER</b>							
Current							
HOURLY	40	19.70	20.69	21.72	22.81	23.95	25.15
BIWEEKLY		1,576.00	1,655.20	1,737.60	1,824.80	1,916.00	2,012.00
MONTHLY		3,414.67	3,586.27	3,764.80	3,953.73	4,151.33	4,359.33
ANNUAL		40,976.00	43,035.20	45,177.60	47,444.80	49,816.00	52,312.00
Effective November 8, 2010 - November 6, 2011							
HOURLY	40	20.42	21.44	22.51	23.64	24.82	26.06
BIWEEKLY		1,633.52	1,715.20	1,800.80	1,891.20	1,985.60	2,084.80
MONTHLY		3,539.30	3,716.27	3,901.73	4,097.60	4,302.13	4,517.07
ANNUAL		42,471.62	44,595.20	46,820.80	49,171.20	51,625.60	54,204.80
Effective November 7, 2011 - June 30, 2012							
HOURLY	40	21.34	22.41	23.53	24.71	25.95	27.25
BIWEEKLY		1,707.11	1,792.80	1,882.40	1,976.80	2,076.00	2,180.00
MONTHLY		3,698.74	3,884.40	4,078.53	4,283.07	4,498.00	4,723.33
ANNUAL		44,384.91	46,612.80	48,942.40	51,396.80	53,976.00	56,680.00
Effective July 1, 2012							
HOURLY	40	21.52	22.60	23.73	24.92	26.17	27.48
BIWEEKLY		1,721.71	1,808.00	1,898.40	1,993.60	2,093.60	2,198.40
MONTHLY		3,730.37	3,917.33	4,113.20	4,319.47	4,536.13	4,763.20
ANNUAL		44,764.49	47,008.00	49,358.40	51,833.60	54,433.60	57,158.40
<b>POLICE SERGEANT</b>							
Current							
HOURLY	40	23.24	24.40	25.62	26.90	28.25	29.66
BIWEEKLY		1,859.20	1,952.00	2,049.60	2,152.00	2,260.00	2,372.80
MONTHLY		4,028.27	4,229.33	4,440.80	4,662.67	4,896.67	5,141.07
ANNUAL		48,339.20	50,752.00	53,289.60	55,952.00	58,760.00	61,692.80
Effective November 8, 2010 - November 6, 2011							
HOURLY	40	24.09	25.29	26.55	27.88	29.27	30.73
BIWEEKLY		1,927.06	2,023.20	2,124.00	2,230.40	2,341.60	2,458.40
MONTHLY		4,175.30	4,383.60	4,602.00	4,832.53	5,073.47	5,326.53
ANNUAL		50,103.58	52,603.20	55,224.00	57,990.40	60,881.60	63,918.40

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Effective November 7, 2011 - June 30, 2012							
HOURLY	40	25.17	26.43	27.75	29.14	30.60	32.13
BIWEEKLY		2,013.92	2,114.40	2,220.00	2,331.20	2,448.00	2,570.40
MONTHLY		4,363.50	4,581.20	4,810.00	5,050.93	5,304.00	5,569.20
ANNUAL		52,362.02	54,974.40	57,720.00	60,611.20	63,648.00	66,830.40
Effective July 1, 2012							
HOURLY	40	25.38	26.65	27.98	29.38	30.85	32.39
BIWEEKLY		2,030.72	2,132.00	2,238.40	2,350.40	2,468.00	2,591.20
MONTHLY		4,399.88	4,619.33	4,849.87	5,092.53	5,347.33	5,614.27
ANNUAL		52,798.61	55,432.00	58,198.40	61,110.40	64,168.00	67,371.20
<b>PUBLIC SAFETY DISPATCHER</b>							
Current							
HOURLY	40	14.87	15.61	16.39	17.21	18.07	18.97
BIWEEKLY		1,189.60	1,248.80	1,311.20	1,376.80	1,445.60	1,517.60
MONTHLY		2,577.47	2,705.73	2,840.93	2,983.07	3,132.13	3,288.13
ANNUAL		30,929.60	32,468.80	34,091.20	35,796.80	37,585.60	39,457.60
Effective November 8, 2010 - November 6, 2011							
HOURLY	40	15.32	16.09	16.89	17.73	18.62	19.55
BIWEEKLY		1,225.88	1,287.20	1,351.20	1,418.40	1,489.60	1,564.00
MONTHLY		2,656.08	2,788.93	2,927.60	3,073.20	3,227.47	3,388.67
ANNUAL		31,872.95	33,467.20	35,131.20	36,878.40	38,729.60	40,664.00
Effective November 7, 2011 - June 30, 2012							
HOURLY	40	15.86	16.65	17.48	18.35	19.27	20.23
BIWEEKLY		1,268.50	1,332.00	1,398.40	1,468.00	1,541.60	1,618.40
MONTHLY		2,748.41	2,886.00	3,029.87	3,180.67	3,340.13	3,506.53
ANNUAL		32,980.90	34,632.00	36,358.40	38,168.00	40,081.60	42,078.40
Effective July 1, 2012							
HOURLY	40	15.93	16.73	17.57	18.45	19.37	20.34
BIWEEKLY		1,274.51	1,338.40	1,405.60	1,476.00	1,549.60	1,627.20
MONTHLY		2,761.44	2,899.87	3,045.47	3,198.00	3,357.47	3,525.60
ANNUAL		33,137.25	34,798.40	36,545.60	38,376.00	40,289.60	42,307.20

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**SENIOR PUBLIC SAFETY DISPATCHER**

Current

HOURLY	40	17.22	18.08	18.98	19.93	20.93	21.98
BIWEEKLY		1,377.60	1,446.40	1,518.40	1,594.40	1,674.40	1,758.40
MONTHLY		2,984.80	3,133.87	3,289.87	3,454.53	3,627.87	3,809.87
ANNUAL		35,817.60	37,606.40	39,478.40	41,454.40	43,534.40	45,718.40

Effective November 8, 2010 - November 6, 2011

HOURLY	40	17.75	18.63	19.56	20.54	21.57	22.65
BIWEEKLY		1,419.62	1,490.40	1,564.80	1,643.20	1,725.60	1,812.00
MONTHLY		3,075.84	3,229.20	3,390.40	3,560.27	3,738.80	3,926.00
ANNUAL		36,910.04	38,750.40	40,684.80	42,723.20	44,865.60	47,112.00

Effective November 7, 2011 - June 30, 2012

HOURLY	40	18.37	19.29	20.25	21.26	22.32	23.44
BIWEEKLY		1,469.70	1,543.20	1,620.00	1,700.80	1,785.60	1,875.20
MONTHLY		3,184.35	3,343.60	3,510.00	3,685.07	3,868.80	4,062.93
ANNUAL		38,212.20	40,123.20	42,120.00	44,220.80	46,425.60	48,755.20

Effective July 1, 2012

HOURLY	40	18.45	19.38	20.35	21.37	22.44	23.56
BIWEEKLY		1,476.21	1,550.40	1,628.00	1,709.60	1,795.20	1,884.80
MONTHLY		3,198.46	3,359.20	3,527.33	3,704.13	3,889.60	4,083.73
ANNUAL		38,381.54	40,310.40	42,328.00	44,449.60	46,675.20	49,004.80

**COMMUNICATION RECORDS SUPERVISOR**

Current

HOURLY	40	18.96	19.91	20.91	21.96	23.06	24.21
BIWEEKLY		1,516.80	1,592.80	1,672.80	1,756.80	1,844.80	1,936.80
MONTHLY		3,286.40	3,451.07	3,624.40	3,806.40	3,997.07	4,196.40
ANNUAL		39,436.80	41,412.80	43,492.80	45,676.80	47,964.80	50,356.80

Effective November 8, 2010 - November 6, 2011

HOURLY	40	19.54	20.52	21.55	22.63	23.76	24.95
BIWEEKLY		1,563.06	1,641.60	1,724.00	1,810.40	1,900.80	1,996.00
MONTHLY		3,386.64	3,556.80	3,735.33	3,922.53	4,118.40	4,324.67
ANNUAL		40,639.62	42,681.60	44,824.00	47,070.40	49,420.80	51,896.00

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Effective November 7, 2011 - June 30, 2012							
HOURLY	40	20.22	21.24	22.30	23.42	24.59	25.82
BIWEEKLY		1,617.91	1,699.20	1,784.00	1,873.60	1,967.20	2,065.60
MONTHLY		3,505.48	3,681.60	3,865.33	4,059.47	4,262.27	4,475.47
ANNUAL		42,065.71	44,179.20	46,384.00	48,713.60	51,147.20	53,705.60
Effective July 1, 2012							
HOURLY	40	20.31	21.33	22.40	23.52	24.70	25.94
BIWEEKLY		1,624.88	1,706.40	1,792.00	1,881.60	1,976.00	2,075.20
MONTHLY		3,520.57	3,697.20	3,882.67	4,076.80	4,281.33	4,496.27
ANNUAL		42,246.86	44,366.40	46,592.00	48,921.60	51,376.00	53,955.20