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AGREEMENTS
A-22

COPY

REDLANDS ASSOCIATION of DEPARTMENT DIRECTORS

September 14, 2010

Mr. N. Enrique Martinez
City Manager
City of Redlands
35 Cajon Street
Redlands, CA 92373



SUBJECT: PETITION FOR RECOGNITION

Mr. Martinez;

Last week the City Council subcommittee notified Department Directors, individually, of their intention to unilaterally reduce previously agreed to benefits at the September 21st Council meeting. The Directors were surprised by this notification especially given that two years ago the Department Directors agreed to leave the protection of their respective unions and associated benefits (e.g. merit increases, protected status, etc). The Directors believe that the removal of benefits without any discussions is acting in bad faith on the part of Council. Members of the subcommittee indicated that this action was not being done to address any budget or equity issues.

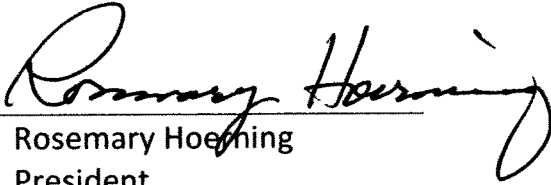
As a result of Council's actions, the Directors feel compelled to submit this Request for Recognition as an organized employee unit. We are disappointed with the subcommittee's decision to take away our benefits when we, as Department Directors, have demonstrated our personal commitment to the City and the Council, through the many positive changes that have been accomplished since you formed this Executive Team.

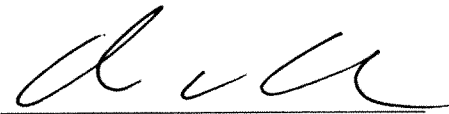
Attached you will find documents which meet all of the requirements under the Procedures for Administration of Employer-Employee Relations Resolution number 2786 and applicable subsequent revisions.

We respectfully request your review and recognition of the Redlands Association of Department Directors (RADD). We have also attached an MOU for review and approval by City Council.

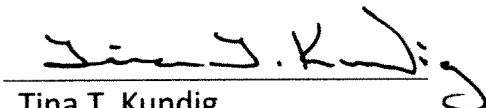
We look forward to your response as soon as possible.

Sincerely,


Rosemary Hoehning
President


Oscar Orci
Vice-President


David Hexem
Secretary


Tina T. Kundig
Treasurer

cc: RADD membership

REDLANDS ASSOCIATION OF DEPARTMENT DIRECTORS – RADD

Date: September 8, 2010

Elected Board of Directors:

- President: Rosemary Hoerning
- Vice-President: Oscar Orci
- Secretary: David Hexem
- Treasurer: Tina Kundig

All officers listed above are authorized to speak on behalf of the Association.

The RADD employee organization has, as one of its primary purposes, the representation of Department Directors in their employment relations with the City.

This organization is not a chapter or local of any organization or affiliated in any way with any regional, state, national or international organization.

Certified copies' of the employee organization's constitution and by-laws. (See Attached)

The following persons are designated as authorized persons to receive notices at the stated addresses for the employee organization for any purpose.

1. Name – Rosemary Hoerning
Address - 10820 Colusa Street, Rancho Cucamonga, CA 91701
Email Address – rbhmouse@yahoo.com
2. Name – David Hexem
Address - 1038 Benedict Circle, Corona, CA 92882
Email Address – dhexem@yahoo.com

The employee organization recognizes that the provisions of section 923 of the Labor Code are not applicable to City employees.

This organization is based on a community of interest of Department Directors and has no restriction on membership based on race, color, creed, sex, or national origin.

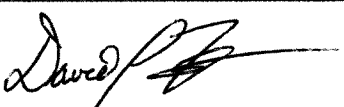
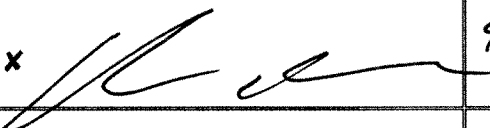
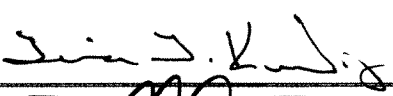
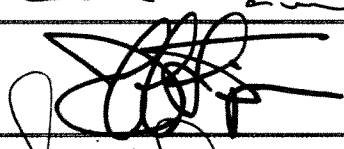
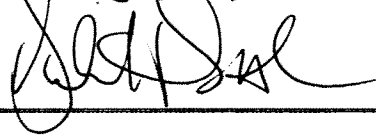
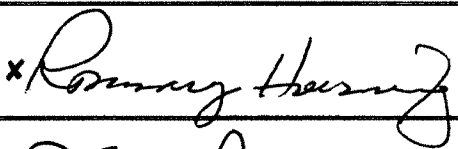
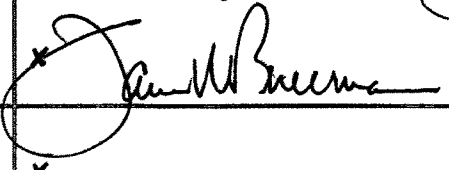
The classifications in this unit are:

1. Assistant/Deputy City Manager
2. Chief Information Officer
3. Development Services Director
4. Finance Director
5. Fire Chief
6. Human Resources Director

PETITION FOR RECOGNITION

The undersigned do affirm and agree to their inclusion in the petition for recognition of the Redlands Association of Department Directors (RADD) and assign representation of their rights under MMBA on all issues concerning their wages, hours and terms and conditions of employment to RADD.

RADD does affirm the undersigned as appropriate classifications for the stated unit as indicated in the Association By-laws.

Classification	Name	Signature	Date
Assistant/Deputy City Manager	Vacant	x	
Chief Information Officer	David Hexem	x 	9/8/10
Development Services Director	Oscar Orci	x 	9/8/10
Finance Director	Tina Kundig	x 	9/8/10
Fire Chief	Jeff Frazier	x 	9/9/10
Human Resources Director	Deborah Scott-Leistra	x 	9/8/10
Library Director	Larry Burgess	x	
Municipal Utilities and Public Works Engineering Director/City Engineer	Rosemary Hoerning	x 	9/8/10
Police Chief	James Bueermann	x 	9-8-10
Quality of Life Director	Vacant	x	

COPY



BYLAWS
OF THE
REDLANDS ASSOCIATION
OF
DEPARTMENT DIRECTORS
(RADD)

COPY

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BYLAWS OF THE REDLANDS ASSOCIATION OF DEPARTMENT DIRECTORS

ARTICLE I - GENERAL MEMBERSHIP MEETINGS

Section 1. Place of Meetings:

All meetings of the members shall be held at a place as designated for that purpose by the Board of Directors.

Section 2 (b). Special Meetings:

Special meetings of the members, for any purpose, may be called by the President. The President must call a special meeting of the members when a majority of the seated Board of Directors or two members of the general membership request a special meeting.

Section 2 (b) (1). Quorum:

Fifty-one percent (51%) of members entitled to vote, present in person or by proxy, shall be requisite and shall constitute a quorum at all meetings of the members for the transaction of business except as otherwise provided these Bylaws. If, however, such majority shall not be present at any meeting of the members, the members entitled to vote there at, present in person shall have the power to adjourn the meeting from time to time, until the requisite amount of votes shall be present. At such adjourned meeting at which the requisite amount of votes shall be represented, any business may be transacted which might have been transacted at the meeting as originally notified. Any action by a majority of the quorum at any meeting is a valid act.

Section 2 (b) (2). Proxies:

Every person entitled to vote or execute consent as a member shall have the right to do so in person, by personally executed ballot, or by an agent authorized by a written proxy executed by such person or that person's duly authorized agent and filed with the Secretary of the Association as specified by this Article and by the Board of Directors. All proxies must be originally marked and signed.

Section 2 (b) (3). Validity of Proxy:

Any proxy duly executed that is not revoked continues in full force and effect until an instrument revoking it or a duly executed proxy bearing a later date is filed with the Secretary of the Association; provided that no such proxy shall be valid after the expiration of one month from the date of its execution, unless the person executing it specified therein the length of time for which such proxy is to continue in force, which in no case shall exceed ninety (90) days from the date of its execution. Proxies shall apply only to business conducted at membership meetings; all other business shall be conducted by personal ballot.

Section 2 (b) (4). Filing of Proxies:

Proxies shall be filed with the Secretary of the Association or the Secretary's designated representative at a time to be set by the President to be sufficiently in advance of the meeting at which the proxies may be voted to allow verification and tallying of proxies.

Section 3. Notice of Meetings:

Notice of any special meeting of the members shall specify the place, the day and hour of the meeting and the general nature of the business to be transacted.

When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in case of an original meeting.

Except as aforementioned, it shall not be necessary to give any notice of the adjournment or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken.

Section 4. Consent to General Membership Meetings:

The transactions of any meetings of members, however called or noticed, shall be as valid as at a meeting duly held after regular call and notice, if a quorum be present.

Section 5. Voting Rights:

Only Regular Members, as defined in Article II, Section 2 of these Bylaws shall be entitled to one (1) vote and shall not have the right to accumulate votes.

ARTICLE II - ELIGIBILITY FOR MEMBERSHIP

Section 1. Membership

The following persons are eligible for membership in the Association and shall become members upon acceptance by the Association:

- a) Employees of the City of Redlands holding the position of Department Director; or
- b) Assistant/Deputy City Manager.

REGULAR MEMBERSHIP:

Regular Members are members who are employed by the City of Redlands in the applicable classifications. Regular Members are entitled to all the rights and privileges afforded by these Bylaws, including the right to vote and to be heard, and to otherwise fully participate in the activities of the Association.

Regular Members are entitled to all services and benefits of the Association.

Section 2. Association Costs:

Costs for services approved by the Association board of directors/membership shall be divided and borne equally by all Association members.

Section 3. Application for Membership:

Application for membership shall be made in writing on a form prescribed by the Board of Directors. The application shall include such matters as the Board of Directors may determine.

Section 4. A Member May Be Suspended or Expelled for Cause:

Every member, by virtue of such membership, agrees that, in consideration of the rights and benefits conferred upon the member pursuant to the terms of these Bylaws, the member shall be subject to suspension or expulsion for cause. "Cause" for suspension or expulsion shall include, but shall not be limited to, any of the following acts committed by a member:

1. Violating any provisions of the Bylaws, any lawful Board policy or directive, or any established rules of the Association;
2. Failing to pay financial obligations in a timely manner;
3. Obtaining membership by fraudulent means or by misrepresentation;
4. Unreasonably, unlawfully, or improperly disturbing the peace or harmony of any meeting of the Association or of any of their offices;
5. Embezzling, misappropriating, fraudulently receiving, wrongfully handling, or failing to account for the funds of the Association or any employee benefit fund;

6. Using the name of the Association for soliciting funds or advertising or similar activities, except as expressly authorized by the Board of Directors;
7. Furnishing a complete or partial list of the membership of the Association to any person other than those whose governmental position or Association office or employee benefit fund position entitles them to have a list, without specific authorization in writing from the President of the Association;
8. Deliberately and improperly interfering with any Officer, Director, or representative of the Association in the discharge of his or her official duties;
9. Deliberately engaging in conduct in violation of the responsibility of members toward the Association as an institution;
10. Deliberately interfering with the performance of the legal or contractual rights or obligations of the Association;
11. Engaging in dishonest acts or illegal acts, which involve the Association;
12. Engaging in conduct unbecoming a member of the Association;
13. Such suspension or expulsion shall be by a majority vote of the members of the Association provided that a statement of the charges shall have been mailed by registered or certified mail to a member under charge at the member's last reported address, at least fifteen (15) days before the final action is taken thereon. This statement shall be accompanied by a notice of the time when and the place where the meeting is to be held to take action. In the event that the member charged is a member of one or more committees, and the Board determines that it would be in the best interests of the Association that the member charged be placed on administrative leave from such committee(s) until the resolution of the charges, the statement of the charges shall so notify the member of that decision. Such member shall be given the opportunity to present a defense at the time and place mentioned in such notice. Procedures for such proceedings shall be determined at the discretion of the Board of Directors.

ARTICLE III - DIRECTORS

Section 1. Powers:

Subject to the limitation of the Bylaws as to the action to be authorized or approved by the members, all Association powers shall be exercised by or under authority of and the business and affairs of this Association shall be controlled by a Board of Directors.

Section 2. Officers:

The officers of the Association shall be a President, a Vice-President, a Secretary, a Treasurer and the Immediate Past President. The Association may also have, at the discretion of the Board of Directors, such other officers (Directors-at-large) as may be appointed in accordance with the provisions of this article of Bylaws. No person may hold more than one office. All office holders must be members in good standing.

Section 2 (a). Number of Directors:

The authorized number of Directors-at-large of the Association shall be a maximum of two (2).

Section 2 (b). Qualifications for Board of Director Candidacy:

Any Regular member who is a member in good standing of the Association is qualified to be a candidate for election to the Board of Directors provided that the candidate: (1) has been a member in good standing of the Association for a minimum of one year immediately prior to being nominated; or (2) has been a member in good standing of an employees association that has become part of RADD, for a minimum of one year prior to being nominated. Said candidate must be a Regular Member, and in good standing within the meaning of this subsection, at the time of the filing of his or her petition and must have remained a Regular member in good standing up to and including the time that the candidate, if elected, is sworn in and seated on the Board of Directors for the commencement of his or her term of office.

Section 3 (a) (1). Close of Nominations:

Nominations for the Board of Directors shall close not less than 15 or more than 60 days before the day directors are to be elected. No nominations for the Board can be made after the date set for the close of nominations.

Section 3 (a) (2). Election of Board of Directors:

Except as provided in Section 3 (a) (3), below, the members of the Board of Directors shall be elected by ballot from qualified members as specified in Section 2. Each member eligible to vote shall receive, by conveyance as determined by the Board of Directors, a ballot showing the names of the candidates for which that member may vote. Ballots must be mailed or otherwise returned to the Association offices no later than the close of business on a date determined by the Election Committee. Each voting member shall be entitled to cast no more than one vote for each seat on the Board of Directors up for election. The election results shall be announced on a date to be determined annually by the Board of Directors.

Section 3 (a) (3). Waiver of Election:

If after the close of nominations, the number of people nominated for the Board is not more than the number of Directors to be elected, the Board may, by majority vote, declare that those nominated and qualified to be elected have been elected.

Section 3 (b). Tenure of Board of Directors:

Each Director shall serve a term of one (1) year, beginning on the date of the annual membership meeting when new Directors are sworn into office and ending with the swearing in of new Directors at the third following annual membership meeting.

Section 4. Vacancies:

A vacancy or vacancies shall be deemed to exist in case of death, resignation or removal of any Director or when there is an insufficient number of qualified candidates elected. A vacancy may also be deemed to exist in the event that a Director is on a leave of absence from his employment for six months, regardless of the reason(s) for such absence.

A vacancy or vacancies arising in the Board of Directors shall be filled by:

- a) The candidate receiving the next highest number of votes in the prior election provided that the candidate had received ten percent (10%) or more of the ballots cast in that election, or if no person meets this requirement, then the Board of Directors may fill the vacancy by appointment;
- b) Any person who has been a member in good standing for a minimum of one (1) year acquiring member signatures of not less than that number required for nomination or ten percent (10%) of the total qualified ballots cast in the prior election, whichever is greater; and
- c) Should there be an insufficient number of qualified applicants elected, the Board of Directors may solicit applications for appointment and may appoint qualified applicants to fill vacant or unfilled seats.

Each Director so appointed shall hold office until a successor is elected as specified in Article III, Section 3(b).

Section 5 (a). Board Member Removal:

The entire Board of Directors or any individual Director may be removed from office. As set forth in this section, a Director also may be removed for cause, for absenteeism, by recall, or when the Director is no longer a Regular member in good standing.

Section 5 (b). Board Member Removal - Absenteeism:

Any Director who is not in attendance at least half of the meeting time of each meeting, whether regular or special, shall be considered absent.

Any Director who has been absent from two (2) consecutive meetings or is absent from three (3) meetings, whether regular or special, within a period of six (6) consecutive months, for reasons other than personal illness, illness in the family, vacation or official business may be removed from office by a simple majority of a quorum of Directors at a regular meeting.

Section 5 (c). Board Member Recall:

Any Board member may be recalled for cause as defined in section 5 (d) of this Article by the General Membership by submitting a recall petition containing the same number of signatures as required for calling a special meeting, signed within thirty days of the submission of the petition. A separate petition is necessary for each Board member sought to be recalled. In addition to the member's signature, a recall petition must contain all of the following information for each member who signs the petition or the signature will not be counted: the member's printed name, the member's Department, the member's employee identification number or the last four digits of the social security number and the date signed by the member.

The petition shall be submitted to the President of the Association who shall direct the Secretary to validate the membership of those names and signatures which appear on the petition. Upon confirmation of the signatures, the President shall thereafter notify the affected Director of the recall petition and shall schedule a special recall election within ninety (90) days, unless a general election is to take place within those ninety (90) days. In that event, it shall be included in the general election.

Section 5 (d). Board Member Removal - Cause:

Any Director, by virtue of such position, shall be subject to removal from the Board, suspension, or expulsion, for cause. "Cause" for removal, suspension, or expulsion shall include, but shall not be limited to, any of the following acts committed by a Director:

1. Violating any provisions of the Bylaws, any lawful Board policy or directive, or any established rules of the Association;
2. Failing to pay dues, fines, assessments, fees, or other financial obligations in a timely manner;
3. Obtaining membership by fraudulent means or by misrepresentation;
4. Advocating or attempting to bring about the decertification of the Association or the withdrawal of any member or group of members from the Association, or other similar act;
5. Working in the interest of or accepting membership in any organization dual to the Association;
6. Unreasonably, unlawfully, or improperly disturbing the peace or harmony of any meeting of the Association or of any of their offices;
7. Embezzling, misappropriating, fraudulently receiving, wrongfully handling, or failing to account for the funds of the Association or any employee benefit fund;
8. Using the name of the Association for soliciting funds or advertising or similar activities, except as expressly authorized by the Board of Directors;
9. Furnishing a complete or partial list of the membership of the Association to any person other than those whose governmental position or Association office or employee benefit fund position entitles them to have a list, without specific authorization in writing from the President of the Association;
10. Deliberately and improperly interfering with any Officer, Director, or representative of the Association in the discharge of his or her official duties;
11. Deliberately engaging in conduct in violation of the responsibility of Directors toward the Association as an institution;
12. Deliberately interfering with the performance of the legal or contractual rights or obligations of the Association;
13. Engaging in dishonest acts or illegal acts, which involve the Association;
14. Engaging in conduct unbecoming a Director of the Association, or in acts inimical to the welfare of the Association;
15. Failing to faithfully perform the duties of his or her position, becoming negligent in the performance of the duties of his or her position, or accepting dual compensation of expenses for the performance of duties related to his or her position.

Such removal, suspension, or expulsion shall be by a majority vote of the members of the Board of Directors provided that a statement of the charges shall have been mailed by registered or certified mail to a Director under charge at the Director's last reported address, at least fifteen (15) days before the final action is taken thereon. This statement shall be accompanied by a notice of the time when and the place where the meeting is to be held to take action. Such Director shall be given the opportunity to present a defense at the time and place mentioned in such notice. Procedures for such proceedings shall be determined at the discretion of the Board of Directors.

Section 5 (e). Board Member Removal - Loss of Qualifying Employment

In the event that a Director is no longer employed by the City of Redlands, the position on the Board held by that Director shall be declared vacant; but in the event that the Director's loss of qualifying employment was due to an adverse action taken against the Director by the City of Redlands, the Director's position shall not be declared vacant until after the Director has unsuccessfully

exhausted all administrative remedies to challenge his or her removal from qualifying employment and gain reinstatement or until the Association makes a final determination not to represent the Director in that challenge, whichever occurs first.

Section 6. Annual Reports:

The Directors shall cause to be made available to the members at least ten (10) days prior to the annual membership meeting, a balance sheet as of the closing date of each year, together with a statement of income and profit and loss for such year. These financial statements shall be certified to by the President, Secretary, Treasurer or a certified public accountant.

Section 7. Special Meetings:

Special meetings of the Board of Directors for any purpose or purposes shall be called at any time by the President or, if he or she is absent or unable or refuses to act, by the Vice-President or by two (2) Directors. Written notice of the time and place of special meetings shall be delivered at least forty-eight (48) hours prior to the time of the holding of the meeting. In case such notice is personally delivered as above provided, it shall be so delivered at least twenty-four (24) hours prior to the time of the holding of the meeting. Said notification as above provided shall be due legal and personal notice to such Director.

Section 8. Waiver of Notice:

When all of the Directors are present at any Directors' meeting, however called or noticed, and sign a written consent thereto on the records of such meeting, or, if a majority of the Directors are present, and if those not present sign in writing a waiver of notice of such meeting, whether prior to or after the holding of such meeting, which said notice shall be filed with the Secretary of the Association, the transactions thereof are as valid as if they had occurred at a meeting regularly called and noticed.

Section 9. Notice of Adjournment:

Notice of the time and place of holding an adjourned meeting need not be given to absent Directors if the time and place be fixed at the meeting adjourned.

Section 10. Quorum:

A majority of the number of seated Directors shall be necessary to constitute a quorum for the transaction of business and the action of a majority of the Directors present at any meeting at which there is a quorum, when duly assembled, is valid as a corporate act provided that a minority of the Directors, in the absence of a quorum, may adjourn from time to time, but may not transact any business.

Section 11. Meeting Minutes

Each Director shall receive by a copy of the tentative minutes when a quorum has been present and duly assembled for a meeting of the Board of Directors. Said copy of tentative minutes shall be included in the Board of Directors agenda packet mailed to each Director for review prior to the next regular Board meeting. In addition, until the adjournment of the next regularly scheduled meeting of the Board of Directors, a verbatim record of the above said meeting shall be maintained by the Secretary for review of any Director.

If an executive session was held, the minutes should so indicate.

Section 12.

The Directors shall have the power to select and remove all the officers, agents, employees of the Association, prescribe such powers and duties for them as may be consistent with law or the Bylaws and require from them security for faithful service.

Section 13.

The Directors shall have the power to conduct, manage and control the affairs and business of the Association, and to make such rules and regulations thereof not inconsistent with law, or the bylaws, as they may deem best. The Directors shall also have the authority to establish policies and procedures governing the Association.

Section 14.

The Directors shall not have the power to borrow money and incur indebtedness for the purposes of the Association.

ARTICLE IV - OFFICERS**Section 1. President:**

The President shall be the chief executive officer of the Association and shall, subject to control of the members, have general supervision, direction and control of the business and officers of the Association. The President shall preside as chairman at all meetings of the members. The President shall be an ex-officio member of all standing committees, if any, and shall have the general powers and duties of management usually vested in the office of President of a Corporation, and shall have such other powers and duties as may be prescribed by the membership or by the Bylaws.

Section 2. Vice-President:

In the absence or disability of the President, the Vice President shall perform all of the duties of the President and when so acting, shall have all the powers of, and be subject to all of the restrictions upon the President. The Vice-President shall have such other powers and perform such other duties as from time to time may be prescribed for them respectively by the Board of Directors or the Bylaws. The Vice-President shall serve as parliamentarian and shall insure that all business of the Association be conducted in accordance with these Bylaws.

Section 3. Secretary:

The Secretary shall keep, or cause to be kept, a book of minutes at the principal office or such other place as the membership may order, of all meetings of Directors and members, with the time and place of holding, whether regular or special, and if special, how authorized, the meetings, the number of members at members' meetings and the proceedings thereof.

The Secretary shall give, or cause to be given, notice of all meetings of the members required by the Bylaws to be given and shall keep the seal of the Corporation in safe custody, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws. In the absence or disability of the Secretary to act, the Board of Directors shall appoint an acting Secretary.

The Secretary shall keep, or cause to be kept, a manual of all policies and procedures adopted by the Board of Directors and shall forward to each Director, amendments or additions to those policies and procedures as adopted by the Board.

Section 4. Treasurer:

The Treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct accounts of the properties and transactions of the Association, including accounts of its liabilities, receipts, disbursements and/or gains. The books of account shall, at all reasonable times, be open to inspection by any Director.

The Treasurer shall disburse the funds of the Association as may be ordered by the Board of Directors, shall render to the President and Directors, whenever they request it, an account of all of his or her transactions as Treasurer of the financial condition of the Association, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or by the Bylaws.

ARTICLE V - BOOKS AND RECORDS

Section 1. Records:

The Association shall maintain adequate and correct records, books, and accounts of its business and properties.

Section 2. Inspection of Books and Records:

Books and records shall be open to inspection of the Directors and members.

Section 3.

The original or copy of these Bylaws, as amended and otherwise altered to date, certified by the Secretary, shall be open to inspection by the members of the Association.

Section 4. Checks, Drafts, etc.:

All checks, drafts or other orders for payment of money, notes or other evidence of indebtedness, issued in the name of or payable to the Association, shall be signed or endorsed by such person or persons and in such manner as shall be determined from time to time by resolution of the Board of Directors.

Section 5 (a). Contracts, etc. - How Executed:

The Board of Directors, except as in the Bylaws otherwise provided, may enter into and contract or execute any instrument in the name of and on behalf of the Association with majority consent of the Association. Such authority may be general or confined to specific instances. Unless so authorized by the Board of Directors, no officer or agent shall have any power or authority to bind the Association by any contract or engagement, or to pledge its credit, or to render it liable for any purpose or to any amount.

Section 5 (c). Distribution:

In the event of dissolution, affiliation, liquidation, or other similar action regarding the Association, whether voluntary or involuntary, the assets, property, books, and records of the Association shall, after all debts and liabilities have been paid, be distributed and paid over equally to all members of the Association.

ARTICLE VIII - AMENDMENTS TO BYLAWS

Section 1. Amendments:

New bylaws may be adopted or these bylaws may be repealed or amended by the members.

Section 2. Powers of Directors:

The Board of Directors may adopt, amend or repeal any bylaw for submission to the members. Such bylaw shall not become effective until approval by a majority of the members voting in a General or Special meeting or by mail ballot.

Section 3. Record of Amendments:

Whenever an amendment or a new bylaw is adopted, it shall be copied in the Book of Bylaws with the original bylaws, in the appropriate place. If any bylaw is repealed, the fact to repeal with the date of the meeting at which the repeal is enacted or written assent was filed shall be stated in said book.

ARTICLE X - PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order, Revised, shall govern meetings in this Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, the Articles of Incorporation or the laws of the State of California.

ARTICLE XI - POLITICAL ACTIVITY

The Association will not, as a group or as an individual member of the Association, put forth any specific political support for any candidate in any local election.

ARTICLE XII - CONTRACT RATIFICATION VOTE

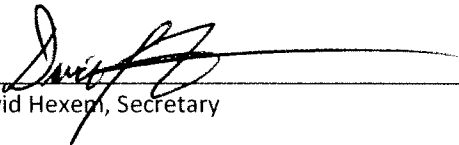
Only members who are in good standing may vote in the ratification process.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

- (1) That I am the duly elected Secretary of the Redlands Association of Department Directors; and
- (2) That the foregoing bylaws were adopted by the membership on September 9, 2010.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 9th day of September 2010.



David Hexem, Secretary

COPY
MEMORANDUM
OF
UNDERSTANDING
BETWEEN
THE
CITY OF REDLANDS
AND
THE
REDLANDS
ASSOCIATION
OF
DEPARTMENT
DIRECTORS



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Article I. ADMINISTRATION**Section 1.01 TERM OF MEMORANDUM OF UNDERSTANDING (MOU)**

The City of Redlands (City) and the Redlands Association of Department Directors (RADD) agree that the provisions in this MOU shall become effective on September 22, 2010 and shall expire on June 30, 2012.

Section 1.02 PURPOSE

It is the intent and purpose of this MOU to set forth the understanding of the parties reached as a result of meeting and conferring in good faith regarding, but not limited to, matters relating to the wages, hours, and terms and conditions of employment between employees represented by The Redlands Association of Department Directors (RADD) and the City of Redlands.

Section 1.03 COVERED EMPLOYEE CLASSIFICATIONS

This MOU covers the following Department Director classifications:

DEPARTMENT DIRECTOR CLASSIFICATION TITLES
Assistant/Deputy City Manager
Development Services Director
Chief Information Officer
Director of Municipal Utilities and Public Works Engineering/City Engineer
Finance Director
Fire Chief
Human Resources Director
Library Director
Police Chief
Quality of Life Director

Section 1.04 TERMS AND CONDITIONS OF EMPLOYMENT

- A. This MOU is a summary of benefits and compensation practices approved by the City Council to be applied on an ongoing basis. The provisions of this MOU apply to all employees appointed by the City Manager to the Department Director positions listed in Section 1.03.
- B. This MOU sets forth policies and procedures for implementing and administering the City's Department Director Compensation and Benefit program. The provisions of the City's Personnel Rules and Regulations and City policies in effect and applicable to the above mentioned classifications on the date the City Council of the City of Redlands approves this MOU remain in effect unless expressly superceded by sections of this MOU.
- C. Employees in Department Director positions serve at the will and pleasure of the City Manager. The appointment of a person to a Department Director position will be

made by the City Manager.

- D. The various forms of compensation and benefits described in this MOU are the result of the City's recognition that Department Directors should be compensated appropriately for exhibiting accountability, cost effectiveness, the ability to apply new technologies and maximize the utilization of human, physical and fiscal resources to enhance the mission of the City; and for stimulating the development of people and establishing methods which facilitate the meeting of City goals and objectives.
- E. Unless expressly stated otherwise in this MOU, in addition to the benefits described in this MOU, the specific persons serving as Police Chief and Fire Chief on October 15, 2008 will retain all other benefits described within their respective RASME and RAFME MOUs existing on October 15, 2008, until June 30, 2010.

Article II. COMPENSATION

Section 2.01 COMPENSATION ADJUSTMENTS

The Salary Range Table (Appendix A) is established to provide the minimum and maximum salary levels for each Department Director position.

Section 2.02 PAY PLAN AND BENEFITS REVIEW

The City recognizes that to recruit and retain well-qualified Department Directors and enhance their management capabilities in areas such as leadership and accountability, Department Directors should be compensated appropriately for exhibiting accountability, cost effectiveness, the ability to apply new technologies and maximize the utilization of human, physical and fiscal resources; for exerting leadership to enhance the mission of the City; and for stimulating the development of people and methods which will facilitate the meeting of City goals and objectives.

To facilitate and enhance effectiveness and productive efforts of Department Directors, salary and benefit levels will be reviewed on a periodic basis and may be adjusted from time to time, within the budget appropriation levels established by the City Council for compensation for Department Directors. This review will consist of the following two components.

A. PERFORMANCE EVALUATIONS:

Progression in the salary range for Department Directors shall be based on the Director's performance. The City Manager and the Director will develop goals, and the City Manager shall be responsible for evaluating the Director's performance in relation to the achievement of such goals.

Performance goals to be considered include, but are not limited to, the following:

- Customer Service
- Managing Financial and Material Resources
- Leadership
- Communication
- Quality and Quantity of Work

- Personal Characteristics
- Meeting and exceeding assigned goals and objectives

B. COMPENSATION (SALARY AND FRINGE BENEFITS) SURVEY:

The compensation philosophy for the City of Redlands is to establish a compensation package that will attract the highest caliber individuals. Therefore, the second component will contain comparisons with other similar agencies within the appropriate job market. These factors will be utilized to consider salary and benefit levels that will facilitate continuation of this philosophy.

Article III. LEAVES – PAID AND UNPAID

There exists a variety of different circumstances and situations which require a Department Director's absence from work. The following is a compilation of reasons for leave for Department Directors:

Section 3.01 HOLIDAYS

A. The following paid holidays will be observed on the day specified.

New Year's Day	January 1 st
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day After Thanksgiving Day	Day After 4 th Thursday in November
Christmas Eve	December 24 th
Christmas Day	December 25 th

- B. Any holiday listed in this Section which falls on Sunday will be observed on the following Monday.
- C. Any holiday listed in this Section which falls on Saturday will be observed on Friday.
- D. Christmas Eve Day shall be observed as a holiday if Christmas Day falls on a Tuesday, Wednesday, Thursday or Friday.

Section 3.02 ANNUAL LEAVE

- A. Effective January 1, 2009, Department Directors shall combine existing Sick Leave and vacation balances as well as Floating Holidays and Executive Leave to Annual Leave.

- B. The purpose of Annual Leave is to provide Department Directors the ability to accrue time for Vacation, Sick Leave and personal leave situations.
- C. Individual Department Directors shall accrue Annual Leave hours at a rate of no less than 304 hours and no more than 424 hours per year, based on years of service.
- D. Effective January 1, 2009, the maximum Annual Leave balance shall be 900 hours. Department Directors shall not accrue Annual Leave above 900 hours
- E. As a matter of City policy, Department Directors are encouraged to use annual leave.
- F. Department Directors may convert up to 300 hours of accrued Annual Leave per calendar year to salary compensation or apply to a deferred compensation account. This conversion can be made with a two week notice to payroll.

YEARS OF SERVICE	ANNUAL LEAVE
0-5	304
6-7	344
8-9	352
10-11	360
12-13	368
14-15	376
16-20	384
21	392
22	400
23	408
24	416
25+	424

Section 3.03 BEREAVEMENT LEAVE

Department Directors receive two working days of paid Bereavement Leave for the death of a member of the employee's immediate family (defined as spouse, state-registered domestic partners, children, parents, brother, sister, grandfather, grandmother, mother-in-law, father-in-law, step-father, step-mother, and step-children). Department Directors may be allowed to use accrued Sick Leave as Bereavement Leave with full pay not to exceed three days.

Section 3.04 FAMILY MEDICAL CARE LEAVES

- A. Family Leave shall be granted in accordance with the California Rights Act of 1991 and the Family and Medical Leave Act of 1993, and any amendments thereto and implementing regulations for those respective statutes. The City's Human Resources Department shall be responsible for administration of all leave taken pursuant to this section.
- B. Employees may utilize up to twelve weeks of Annual Leave for leaves of absence that

fall under the provisions of the FMLA and CFRA. This Annual Leave is in addition to any other paid or unpaid leave, which may be granted under the provisions of FMLA and CFRA. Annual Leave shall be used prior to the unpaid leave provisions of FMLA and CFRA.

Article IV. BENEFITS

Section 4.01 INSURANCE

A. HEALTH ALLOTMENT

Department Directors will be allotted an amount to the family rate of PERSCare PPO, City Dental, and City Vision plans for participation in the insurance programs offered by the City. Any unused funds remaining after participation in these plans, at the election of the Department Director, may be contributed to a City offered Health Savings Account (HSA) in accordance with applicable IRS regulations, as a pre-tax contribution for the Department Director or paid in cash as post tax compensation.

B. DISABILITY

The Employee shall pay the premium for the City's Disability Insurance Program.

C. LIFE AND ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE

Department Directors shall be covered by the City's group term life insurance and accidental death and dismemberment (AD&D) insurance plan. The City will pay the premiums for life insurance coverage amounts of \$25,000 for basic life and \$25,000 for accidental death and dismemberment policies.

Section 4.02 FLEXIBLE SAVINGS PLAN

The City will offer Flexible Spending Accounts (FSA) to all Department Directors. An FSA allows an employee to make pre-tax deductions for qualifying medical, dental and vision expenses, and dependent care expenses. The plan is established and administered in accordance with Section 125 of the Internal Revenue Service code.

Section 4.03 DEFERRED COMPENSATION

Department Directors are eligible to participate in City Deferred Compensation Plans as provided for in State and Federal Tax codes. The City will contribute \$1125 per year + 2% of salary for Department Directors. Employees may contribute additional deferred compensation to the Plan in accordance with Plan provisions.

Section 4.04 EMPLOYEE ASSISTANCE PROGRAM

The City offers Department Directors an employee assistance program. Confidentiality regarding a Director's use of this program will be maintained in full compliance with State and Federal Regulations.

Section 4.05 EDUCATIONAL INCENTIVE

Educational Incentives for the Fire Chief and Police Chief positions shall apply to the persons serving in such positions as of the calendar year 2008. Upon the separation of service from the City by either the person serving as Fire Chief or Police Chief, the respective educational incentive for such positions shall be eliminated.

Section 4.06 TUITION REIMBURSEMENT

- A. The City will reimburse Department Directors for actual costs of fees, tuition and books, for attendance at an accredited institution of higher learning, at the rate up to the cost at University of California, Riverside (UCR) for the same or similar course.
- B. Department Directors must submit a request form with documents describing the course and program and cost to the Human Resources Director for approval prior to beginning class.
- C. To be eligible for reimbursement, Department Directors must submit evidence of actual payment of expenses incurred and satisfactory completion of course work with a grade of "C" or better or equivalent.

Section 4.07 AUTO ALLOWANCE

- A. The City shall provide vehicles and/or allowances as follows:

➤ Development Services Director	\$100 per month
➤ Finance Director	\$100 per month
➤ Director of Municipal Utilities and Public Works Engineering/City Engineer	Vehicle
➤ Police Chief	Vehicle
➤ Fire Chief	Vehicle

- B. Department Directors receiving an Auto Allowance or assigned a City vehicle must provide the following:
 - 1. Proof of valid insurance with acceptable levels as set by the City.
 - 2. Proof of valid, class C California driver license.
- C. Department Directors must participate in the City DMV Pull Notice Program.
- D. If assigned, a City-owned vehicle may be used by a Department Director for City business and for commuting to and from the Director's residence. The City will incur all costs related to the provision of the vehicle, including maintenance and insurance. The Department Director shall be responsible for ensuring the City's vehicle is appropriately secured when parked at the Director's residence.

Section 4.08 UNIFORM ALLOWANCE

The Police Chief and Fire Chief who wear their uniforms for public ceremonies or for operational necessity are entitled to a stipend equal to that received by the respective safety management employees.

Article V. RETIREMENT – END OF SERVICE**Section 5.01 PERS CONTRIBUTION**

- A. The City will pay the 7% employee contribution to PERS on the Department Director's behalf for miscellaneous employees with PERS formula 2% @ 55.
- B. The City will pay the 9% employee contribution to PERS on the Department Director's behalf for safety employees with PERS formula 3% @ 50.

Section 5.02 ACCRUAL PAYMENT UPON RETIREMENT

Upon service or medical retirement under the PERS retirement plan, or in the event of the death of an Department Director prior to retirement, PERS members with less than fifteen (15) years service with the City may elect one of the following options for payment of unused annual leave:

- A. Convert all remaining annual leave accrued at the time of retirement to cash value at the final rate of pay and apply said cash value to applicable premiums payable under the City's medical insurance program for the employee and eligible dependents until the cash value is exhausted. In the event that the member dies prior to exhaustion of the cash value of said benefits, the remaining cash value may be applied towards the premiums of covered dependents until exhausted, subject to the conditions and limitations of the applicable insurance policy.
- B. At the time of service retirement, disability retirement, or at the death of an active member, one hundred percent (100%) of accrued annual leave may be converted to cash or applicable deferred compensation plan at the final rate of pay.

Section 5.03 LIFETIME MEDICAL

Department Directors who achieve 15 years of service with the City of Redlands shall be entitled to Lifetime Medical coverage for themselves and their dependents upon separation of service from the City. "Lifetime Medical" means equivalent health insurance as provided by the City to its then existing management employees through the CalPERS retirement system. Department Directors hired after January 1, 2009, shall not be entitled to this benefit.

Section 5.04 EMPLOYEE SEVERANCE PACKAGE

Upon termination, the unit employee shall receive the following severance package;

1. Three months salary; and
2. All City benefits that would have legally accrued during the three months following termination including, but not limited to, annual leave accruals, holiday pay, and deferred compensation as well as medical and dental benefits.

APPENDIX A – DEPARTMENT DIRECTOR SALARY TABLE

CLASSIFICATION	MINIMUM MONTHLY SALARY	MAXIMUM MONTHLY SALARY
Assistant City Manager	NOT CURRENTLY A BUDGETED POSITION	NOT CURRENTLY A BUDGETED POSITION
Chief Information Officer	10,602	12,888
Development Services Director	10,602	12,888
Director of Municipal Utilities and Public Works Engineering/City Engineer	11,703	14,226
Finance Director	10,602	12,888
Fire Chief	12,227	14,862
Human Resources Director	9,845	11,968
Library Director		
Police Chief	12,240	14,878
Quality of Life Director	11,139	13,541

Table effective July 2008

