

AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF REDLANDS AND THE
REDLANDS ASSOCIATION OF SAFETY MANAGEMENT EMPLOYEES

This Amendment No. 2 to the Memorandum of Understanding dated June 21, 2005 by and between the City of Redlands ("City") and the Redlands Association of Safety Management Employees ("RASME") is made and entered into this 18th day of April, 2006.

RECITALS

WHEREAS, it is the desire of the City and the RASME to amend their existing Memorandum of Understanding dated June 21, 2005 to provide clarification regarding certain benefits afforded to the City employee serving in the position of the Chief of Police, the City and RASME agree as follows:

AGREEMENT

Section 1. Article 29 is hereby added to the Memorandum of Understanding between the City and RASME, dated June 21, 2005, to read as follows:

"ARTICLE 29 – CHIEF OF POLICE: TERMINATION
AND SEVERANCE

A. RASME expressly acknowledges and agrees that the position of Chief of Police is an "at-will" position and that, in accordance with the City's Municipal Code, the City Manager may exercise his or her authority to terminate the employee serving in the position of the Chief of Police, without cause.

B. Upon termination, the employee serving in the position of the Chief of Police shall receive the following severance package: (i) twelve (12) months salary; (ii) all City-provided benefits that the employee would have legally accrued during the twelve (12) months following the date of termination including, but not limited to: vacation pay, holiday pay, executive leave pay, deferred compensation and sick leave accruals; and (iii) lifetime medical insurance, provided the employee serving in the position of Chief of Police has been employed with the City for 15 years or more at the time of termination. In addition, upon termination, the City shall fund the purchase of PERS "service credit" for the employee serving in the position of the Chief of Police in an amount equal to the number of full years remaining of the term of the Memorandum of Understanding between the City and RASME dated June 21, 2005. In connection with the funding of "service credit," the City shall also pay to the Chief of Police for any increases in federal and state taxes the Chief of Police is

required to pay as a result of such "service credit" (collectively, the foregoing payments are hereinafter referred to as the "Severance Package"). Provided, however, in the event the employee serving in the position of the Chief of Police is terminated for cause, the employee shall not be entitled to the Severance Package. "Cause" shall mean the following:

- (i) Conviction of a felony crime, or a misdemeanor crime of moral turpitude;
- (ii) Malfeasance or non-performance of duties; or
- (iii) Deliberate insubordination.

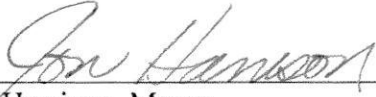
C. Notwithstanding the foregoing, effective January 1, 2007 the above described Severance Package shall be reduced to consist solely of the payment of six (6) months salary and lifetime medical insurance. Lifetime medical insurance shall be provided only if the employee serving in the position of the Chief of Police has the years of service as required in the Memorandum of Understanding between the City and RASME dated June 21, 2005, to earn the benefit.

D. For purposes of resolving any dispute regarding whether "cause" exists and the Severance Package has been properly denied, the City shall have the burden of establishing the same by a preponderance of evidence.

Section 2. All of the provisions of the Memorandum of Understanding between the City and the RASME dated June 21, 2005 shall remain in full force and effect.

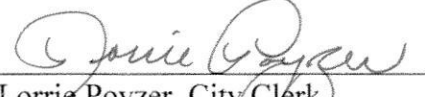
IN WITNESS WHEREOF, the City and RASME have executed this Amendment to be effective as set forth herein.

CITY OF REDLANDS


Jon Harrison, Mayor

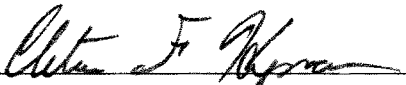
Date: April 18, 2006

ATTEST:


Lorrie Poyzer, City Clerk

Date: April 18, 2006

REDLANDS ASSOCIATION OF SAFETY
MANAGEMENT EMPLOYEES


Cletus Hyman, President

Date: 4-10-06

Funds - Agreement - Engineering Consulting Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a consultant services agreement with AEI-CASC, Inc. to provide plan and map review services, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City and authorized an appropriation in the amount of \$128,000.00 which will be recouped through the plan/map review fees to be charged to the developers.

Report - Tate Water Treatment Plant Effluent Pipeline Replacement Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report on the Tate Water Treatment Plant Effluent Pipeline Replacement Project was acknowledged as received.

Aquastream Sand Control Device Purchase - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of one Aquastream Sand Control Device for the Rees Well for a total amount of \$19,800.00.

Agreement - Tennis Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with Gabriel Jacob to develop and conduct a tennis program for the City's Recreation Bureau and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Contract - Assistance League of Redlands Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously awarded a contract for architectural and design services to Jonathan L. Zane for the Assistance League of Redlands Project under the CDBG program and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Employment Relations Consortium - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement for special services with Liebert Cassidy Whitmore to continue membership in the East Inland Empire Employment Relations Consortium and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

MOU Amendment - RASME - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved Amendment No. 2 to the Memorandum of Understanding with the Redlands Association of Safety Management Employees relating to the Chief of Police (Termination and Severance) and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

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