

AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF REDLANDS AND THE
REDLANDS ASSOCIATION OF FIRE MANAGEMENT EMPLOYEES

This Amendment No. 1 to the Memorandum of Understanding dated June 21, 2005 by and between the City of Redlands ("City") and the Redlands Association of Fire Management Employees ("RAFME") is made and entered into this 21st day of March, 2006.

RECITALS

WHEREAS, it is the desire of the City and the RAFME 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 Fire Chief, the City and RAFME agree as follows:

AGREEMENT

Section 1. Article 34 is hereby added to the Memorandum of Understanding between the City and RAFME, dated June 21, 2005, to read as follows:

**"ARTICLE 34 – FIRE CHIEF: TERMINATION
AND SEVERANCE**

- A. RAFME expressly acknowledges and agrees that the position of Fire Chief 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 Fire Chief, without cause.
- B. Upon termination, the employee serving in the position of the Fire Chief 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 Fire Chief 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 Fire Chief in an amount equal to the number of full years remaining of the term of the Memorandum of Understanding between the City and RAFME dated June 21, 2005. In connection with the funding of "service credit," the City shall also pay to the Fire Chief for any increases in federal and state taxes the Fire Chief 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 Fire Chief 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 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 Fire Chief has the years of service as required in the Memorandum of Understanding between the City and RAFME 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 RAFME dated June 21, 2005 shall remain in full force and effect.

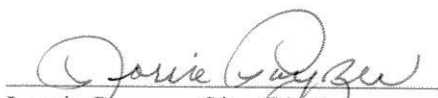
IN WITNESS WHEREOF, the City and RAFME have executed this Amendment to be effective as set forth herein.

CITY OF REDLANDS


Jon Harrison, Mayor

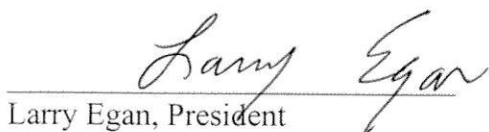
Date: March 21, 2006

ATTEST:


Lorrie Poyzer, City Clerk

Date: March 21, 2006

REDLANDS ASSOCIATION OF FIRE
MANAGEMENT EMPLOYEES


Larry Egan, President

Date: 3-9-06

Joint Venture, LLC for support of the Redlands Fire Department operations and approved an additional appropriation for the same.

Agreement - Fitness Appraisals, Inc. - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with Fitness Appraisals, Inc. to provide Wellness Evaluation Program services to the Redlands Fire Department and its employees and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Contract - Computer Aided Dispatch and Records Management System - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a contract with Spillman Technologies, Inc. for the purchase of a computer-aided dispatch and records management system for the Police Department and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Traffic Safety Seat-Belt Compliance Campaign - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted a grant of \$24,895.00 from the State of California Office of Traffic Safety for the *Safety Seat-Belt Compliance Campaign* and approved an additional appropriation for the same for the Police Department to pay for police personnel overtime.

Funds - Avoid the 25 Traffic Safety Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted a grant of \$18,000.00 from the State of California Office of Traffic Safety for the *Avoid the 25 Traffic Safety Program* and approved an additional appropriation for the same for the Police Department to pay for police personnel overtime.

Agreement - California Wireless Contract - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the Local Government Entity Authorized Use Agreement with Verizon Wireless allowing participation in the California Wireless contract and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

MOU - Redlands Association of Fire Management Employees - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an amendment entitled "Fire Chief: Termination and Severance" to the existing Memorandum of Understanding with the Redlands Association of Fire Management Employees and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.