

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA EXTENDING THE TERMS OF THE 2012-2013 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE SANTA BARBARA CITY SUPERVISORY EMPLOYEES' BARGAINING UNIT (SUPERVISORS' UNIT), THE 2012-2013 SALARY PLAN APPLICABLE TO UNREPRESENTED MANAGERS AND PROFESSIONAL ATTORNEYS (INCLUDING THE CITY ADMINISTRATOR AND CITY ATTORNEY), AND THE 2012-2013 SALARY PLAN APPLICABLE TO CERTAIN UNREPRESENTED SAFETY MANAGERS, ADOPTED BY ORDINANCE NO. 5587, UNTIL JUNE 30, 2015, AND PROVIDING SALARY INCREASES CONSISTENT WITH THE TWO-YEAR FINANCIAL PLAN.

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The 2012-2013 Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Supervisory Employees Bargaining Unit, adopted by Ordinance No. 5587, is hereby amended to extend the term through June 30, 2015 and include the 2013-2015 Supervisors Supplementary Agreement attached hereto and incorporated herein by reference as "Exhibit".

SECTION 2. The City Administrator is authorized to apply the changes to salaries and benefits contained in this supplemental agreement to the City's confidential supervisors.

SECTION 3. The 2012-2013 Salary Plan Applicable to Unrepresented Managers and Professional Attorneys ("Management Salary Plan 1"), adopted by Ordinance No. 5587, is hereby extended through June 30, 2015 and supplemented with the following across-the-board salary increases:

- a. Effective June 29, 2013: 2.0%
- b. Effective June 28, 2014: 2.0%

SECTION 4. The 2012-2013 Salary Plan Applicable to Certain Unrepresented Safety Managers ("Management Salary Plan 2"), adopted by Ordinance No. 5587, is hereby extended through June 30, 2015 and supplemented with the following across-the-board salary increases:

- a. Effective June 29, 2013: 2.0%
- b. Effective June 28, 2014: 2.0%

SECTION 5. The City Administrator is hereby authorized to implement the terms of the Memorandum of Understanding and Management Salary Plans referenced in this ordinance without further action by the City Council, unless such Council action is required by state or federal law.

## 2013-2015 SUPERVISORS SUPPLEMENTARY AGREEMENT

Pursuant to Section 3.12 of the Municipal Code of the City of Santa Barbara and Section 3500 et seq. of the Government Code, the duly authorized representatives of the City of Santa Barbara ("The City") and the Santa Barbara City Employee Supervisor Association ("The Association"), having met and conferred in good faith, agree that the existing 2012-2013 Memorandum of Understanding (MOU) shall be supplemented with the following agreement:

### 1. TERM

The term of the agreement will be extended by 24 months, through June 30, 2015.

### 2. SALARIES

The following across-the-board increases will be implemented:

- a. Effective June 29, 2013: 2.0%
- b. Effective June 28, 2014: 2.0%

### 3. EQUITY ("ME TOO") CLAUSE

- a. If during either the July 2013- June 2014 Fiscal Year or the July 2014- June 2015 Fiscal Year the City agrees to increase ongoing total compensation to the General bargaining unit by greater than the 2% increases for supervisors reflected above, Supervisors will get an additional 0.5% salary increase for each full 0.5% in compensation that the General Unit receives in excess of 2.0%.
- b. Such additional increase(s) will be effective on the same effective date(s) as those excess increases are provided to the General bargaining unit.
- c. An increase to ongoing total compensation shall not include: a) one-time payments that do not increase compensation on an ongoing basis or b) reallocation of the cost of an eliminated benefit, such as vacation cash out, to another form of compensation.
- d. For purposes of this section, the Finance Director shall determine the value of compensation packages provided to the General bargaining unit.

### 4. RETIREE HEALTH SAVINGS ACCOUNT

As provided in Article 39(f) of the Agreement, the City will implement Retiree Health Savings Trust (i.e., IRS Section 115 Trust) with a Health Reimbursement arrangement as soon as practicable to allow employees to contribute, subject to the following:

- a. Association must provide written notification to the City that the Association agrees to mandatory employee funding of such a plan in a specific amount and amount that is consistent with IRS and other plan rules before June 30, 2013. This deadline may be extended by mutual agreement.

- b. The City will implement the plan as soon as practicable to allow employees to contribute. The Association will be consulted on the selection of a vendor, but selection of the vendor will be the City's decision.
- c. To the extent allowable under IRS rules, mandatory employee contributions will be made on a pre-tax basis.

**5. SALARY SURVEY**

The City and the Association agree to meet on a monthly basis during the term of this agreement, beginning October 2014, to jointly update the 2005-2006 total compensation survey for reference during negotiations for a successor agreement. The City and the Association agree to make every effort to have the results finalized prior to March 1, 2015.

**6. NEW MEMBERS RETIREMENT**

Effective June 29, 2013, new members as defined by California Public Employees' Pension Reform Act of 2013 (hereinafter "CPEPRA") will be covered under the retirement formulas, final compensation measurement period, minimum employee contribution, and all other statutory requirements of AB 340.

**7. HOLIDAY CLOSURE**

If the City chooses to close some or all offices to the public during the 2013 and or 2014 holiday period, employees will either work, use their own paid leave banks, or take unpaid leave in accordance with the 2012 Holiday Closure Plan contained in Appendix F, with the following updates:

- The closure periods are tentatively planned to be, subject to change:
  - 2013 Closure: December 25<sup>th</sup>, 2013 through January 1<sup>st</sup>, 2014;
  - 2014 Closure: December 25<sup>th</sup>, 2014 through January 1, 2015
- Employees who wish to work during the Holiday Closure must advise their Manager no later than:
  - 2013 Closure: November 15, 2013;
  - 2014 Closure: November 15, 2014.

Signed:

For the City	For the Association
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Kristine Schmidt Employee Relations Manager	Victor Garza, President Parking Superintendent