

RESOLUTION NO. 09-600

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BLACK DIAMOND POLICE OFFICERS' ASSOCIATION FOR A TEMPORARY REDUCTION IN PAY FOR ASSOCIATION OFFICERS THROUGH DECEMBER 31, 2009

WHEREAS, the City of Black Diamond and the Black Diamond Police Officers' Association executed a collective bargaining agreement for the period from August 31, 2008 to August 30, 2014 ("CBA"); and

WHEREAS, the current collapse of the housing market and the concurrent recession has caused an abrupt and severe decline in expected revenues for the City; and

WHEREAS, to address this sudden drop in revenue, all non-represented City employees are being required to take a number of unpaid furlough days during 2009; and

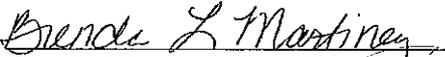
WHEREAS, recognizing the seriousness of the situation and wanting to do its part to help the City avoid layoffs of Association members and other City staff and the decrease in services that would entail, the Association has voluntarily agreed to a temporary reduction of \$200 each month in the pay of each Association member through December 31, 2009. Now, therefore,

BE IT RESOLVED that the Mayor is hereby authorized to enter into the First Memorandum of Understanding between the City of Black Diamond and the Black Diamond Police Officers' Association, containing substantially the same terms as reflected in Exhibit A, which is incorporated by reference to this Resolution.

ADOPTED by the City Council at an open public meeting held on the 7th day of May, 2009.

  
Howard Botts, Mayor

Attest:

  
Brenda Martinez, City Clerk

FIRST MEMORANDUM OF UNDERSTANDING  
CITY OF BLACK DIAMOND  
AND  
BLACK DIAMOND POLICE OFFICERS' ASSOCIATION

1. Date and Parties. This First Memorandum of Understanding ("MOU-1") is dated, for reference purposes only, the 7th day of May, 2009 and is entered into by and between the City of Black Diamond ("City") and the Black Diamond Police Officers' Association ("Association").

2. Background Information and Purpose.

2.1 The parties have executed a collective bargaining agreement for the period from August 31, 2008 to August 30, 2014 ("CBA").

2.2 The current collapse of the housing market and the disruption in the world wide financial markets has created an unprecedented financial crisis for both the private and public sector.

2.3 Neither the City nor the Association members want to see a drop in the level of service that would occur if layoffs of Association members would become necessary. The Association members realize the severity of the economic crisis facing the City and wish to do their part to help, while still maintaining acceptable levels of service.

3. Temporary Reduction in Pay.

3.1 Commencing on May 1, 2009, each Association Member will have his monthly gross pay reduced by \$200.00. The pay scale set forth in the CBA shall remain in full force and effect, and the salary shall be adjusted at the end of the month, after calculating appropriate overtime pay based on the CBA, by reducing the salary by \$200.00. Payroll withholding amounts shall then be calculated on the reduced salary.

3.2 The reduction in pay set forth in paragraph 3.1 shall continue through the December 31, 2009, at which time it will automatically terminate, unless the parties have executed a new memorandum of understanding.

3.3 If the City, due to the financial crises, determines that it must layoff, fire or demote any Association member, or sworn Officer, or if any sworn officer should resign, then the temporary salary reduction shall terminate as of the date the layoff or other action referenced in this paragraph 3.3 becomes effective, with the salary reduction being prorated for the month in which the layoff occurs.

3.4 In the event the three (3) grant positions receive funding as applied for, the temporary salary reduction shall terminate as of the date the funds are received, with the salary reduction being prorated for the month in which the grant funds are received.

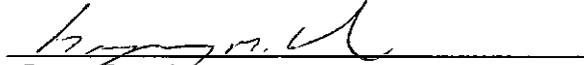
4. Confirmation of Agreement Terms. All other terms and conditions of the Agreement shall remain in full force and effect.

CITY OF BLACK DIAMOND

BLACK DIAMOND POLICE OFFICERS'  
ASSOCIATION



Howard Botts  
Mayor



Greg Goral  
President