

RESOLUTION NO. 96-18

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL
RESOLVING THE FAILURE OF CITY AND RIDGECREST
ASSOCIATION OF CITY EMPLOYEES (R.A.C.E.)
REPRESENTATIVES TO AGREE UPON A SUCCESSOR
MEMORANDUM OF UNDERSTANDING**

WHEREAS, representatives to the City and the Ridgecrest Association of City Employees (R.A.C.E.) Have met and conferred in good faith regarding attempts to adopt a successor to the 1994-95 Memorandum of Understanding between them, and;

WHEREAS, the parties have failed to reach an agreement upon such a successor Memorandum of Understanding, and did therefore agree upon appointment of a mediator to assist in the reaching of such an agreement, and;

WHEREAS, mediation did occur on February 13, 1996 and did not result in the reaching of an agreement, and;

WHEREAS, City representatives provided a February 28, 1996 written notice to R.A.C.E. representatives that a staff recommendation may be provided to the City Council at its regular meeting of March 6, 1996, to the effect that the failure to agree be resolved by unilateral Council implementation of the matters described in said February 28, 1996 notice and its attached resolution, and;

WHEREAS, a final attempt was made by the parties to come to an agreement in negotiations on March 1, 1996 and March 6, 1996, and the parties still failed to reach an agreement, and;

WHEREAS, a documented dispute exists between the parties as to whether or not step, longevity and/or merit increases were to be provided to R.A.C.E. members effective July 1, 1995, and thereafter, and;

WHEREAS, City representatives have uniformly proposed during the meet and confer process preceding this impasse resolution procedure, that no step longevity and/or merit increases be implemented at any time after June 30, 1995, unless and until done so pursuant to agreement of the parties, and;

WHEREAS, the City does not waive, modify or abandon its position stated in an August 28, 1995 letter to R.A.C.E. regarding the status of step, longevity and/or merit increases but is desirous of equitably resolving the impasse existing between the parties;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ridgecrest does unilaterally maintain for the 1995-96 fiscal year, those wages, hours

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and terms and conditions of employment as set forth in the predecessor 1994-95 Memorandum of Understanding between the parties, *with the exception that* the City Council hereby resolves that effective immediately upon adoption of this resolution, the language set forth in Section XI shall be modified as follows:

Effective July 1, 1995 and through and including June 30, 1996 as described herein, the step, longevity, or merit increases provided in Section XI of the 1994-1995 MOU between the parties, shall be provided to employees eligible for the same pursuant to City practices. However, effective June 30, 1996 at 11:59 p.m., no additional step, longevity, merit or other salary or compensation increases of any type, whether specifically provided for in the 1994-95 MOU (for example, in Section XI(B)), or otherwise, shall be provided to any employee unless and until such provision is mutually agreed upon by the parties via future meet and confer or impasse resolution processes regarding the 1996-1997 fiscal year or any fiscal years thereafter."

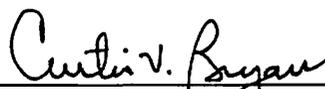
APPROVED AND ADOPTED THIS 6th day of March 1996, by the following
vote:

Ayes: Mayor Bryan, Council Members Auld, Bitney, Lalor, and Parode

Noes: None

Abstain: None

Absent: None



Curtis V. Bryan, Mayor

ATTEST:



Pamela Bartlett, CMC
City Clerk