

RESOLUTION NO. 1153

A RESOLUTION AMENDING RESOLUTION NO. 1142, A RESOLUTION APPROVING A CONTRACT FOR SERVICES WITH MANAGEMENT, SUPERVISORY AND CONFIDENTIAL EMPLOYEES OF THE CITY OF WILSONVILLE AND REPEALING RESOLUTION NO. 229 AS AMENDED.

WHEREAS, the City Council has authorized the City Manager to negotiate an extension of its collective bargaining agreement until June 30, 1998, which would extend all terms and conditions save and except item 15.7 regarding the allowance of sick leave to be calculated toward retirement benefits as Measure 8 according to Attorney General Opinion 8232 eliminates the statutory authority for governmental units to authorize same after January 1, 1995, and it also prohibits the Public Employees Retirement System (PERS) board from making such calculations after January 1, 1995; and

WHEREAS, the City Council desires to have parity in PERS benefits for all employees.

NOW, THEREFORE, THE WILSONVILLE CITY COUNCIL RESOLVES AS FOLLOWS:

1. Resolution 1142 is amended by deleting in paragraph No. 5 the phrase "and computation of unused sick leave for final average salary for PERS retirement."
2. Resolution No 1142 is amended by deleting in paragraph No. 7 the phrase "June 30, 1996" and replacing it with the phrase "June 30, 1998."
3. The City Manager is authorized to offer managers, supervisors, and confidential employees an express contract to continue their employment based upon these amendments and extension: The extension of PERS pick-up is also extended to June 30, 1998 to the City Manager and City Attorney upon their express agreement to amend their contracts, which will complete parity for all employees.

ADOPTED by the Wilsonville City Council at a special meeting thereof this 8th day of December, 1994, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:

Diane M. Pankonin

Diane M. Pankonin, City Recorder Pro Tem

SUMMARY OF VOTES:

Mayor Krummel	<u>AYE</u>
Councilor Benson	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Sempert	<u>(Absent)</u>

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RESOLUTION NO. 1142

A RESOLUTION APPROVING A CONTRACT FOR SERVICES WITH MANAGEMENT, SUPERVISORY, AND CONFIDENTIAL EMPLOYEES OF THE CITY OF WILSONVILLE AND REPEALING RESOLUTION NO. 229 AS AMENDED.

WHEREAS, the City of Wilsonville operates under the Council/Manager form of government as authorized by the City Charter effective January 1, 1987; and

WHEREAS, the personnel rules authorized under Resolution No. 229 predates the adoption of the Charter are inconsistent with the Council/Manager form of government; and

WHEREAS, the Collective Bargaining Agreement between the City and represented employees supersedes and replaces Resolution No. 229; and

WHEREAS, non-union employees (management, supervisory, and confidential) are not covered by either the Collective Bargaining Agreement or by Resolution No. 229; and

WHEREAS, management, supervisory, and confidential employees work effectively without unnecessary rule making; however, a contract with such employees clarifying their employment status and benefits is helpful; and

WHEREAS, upon adoption of this resolution a contract between the city and management, supervisory, and confidential employees shall exist.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. All management, supervisory, and confidential employees of the City of Wilsonville are at-will employees in accordance with Chapter V, Section 21 (c) (3) of the City Charter.
2. With the exception of the City Attorney and the Municipal Court Judge, the City Manager shall appoint and remove appointive employees and shall have general supervision and control over their work with power to transfer an employee from one department to another. The City Manager shall organize and supervise the departments to the end of obtaining the utmost efficiency in each of them.
3. In order to guarantee equitable treatment and to clarify any personnel policies that apply to management, supervisory, and confidential employees, the City Manager may issue "staff directives" on an as-needed basis provided that all such directives comply with federal and state laws and regulations related to employment

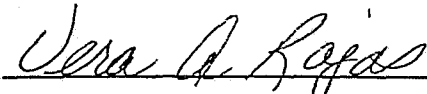
- opportunity and protections.
4. The promulgation of rules and regulations shall be kept to a minimum. The underlying philosophy shall be for each employee to take responsibility to build a positive and caring work environment and to treat each other and the public with courtesy and respect.
 5. Except as otherwise provided through the City Manager's staff directives, management, supervisory, and confidential employees shall be entitled to receive the same fringe benefits as collective bargaining unit employees including health insurance, workers compensation, PERS pick-up, vacation, holidays, and sick leave and computation of unused sick leave for final average salary for PERS retirement.
 6. Management, supervisory, and confidential employees agree to remain the exclusive employee of the city during the term of this contract . This contract is not intended to alter the basic existing employment relationship between the employee and the city. The employee or the city may terminate the employment relationship at any time.
 7. The term of this contract shall commence upon passage of this resolution on October 17, 1994, and shall remain in effect through June 30, 1996, and shall be automatically renewed from year to year thereafter unless the city or the individual employee notifies the other to the contrary in writing thirty (30) days prior to termination or resignation.
 8. Resolution No. 229, Personnel Policy as amended, is hereby repealed.
 9. Savings clause - Should any portion of this resolution (contract) be held to be contrary to law, such decision shall apply only to the specific portion thereof directly specified and all other provisions shall remain in full force and effect for the duration of this contract.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 17th day of October, 1994, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A. ROJAS, CMC/AAE, City Recorder

SUMMARY of Votes:

Mayor Krummel: AYE
Councilor Lehan: AYE
Councilor Benson: ABSENT
Councilor Hawkins: AYE
Councilor Sempert: AYE