

RESOLUTION NO. 2023-061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, ADOPTING AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING WITH THE CHINO POLICE OFFICERS ASSOCIATION AND THE CHINO POLICE MANAGEMENT ASSOCIATION AND AMENDING PORTIONS OF RESOLUTION NOS. 85-52 AND 85-54 AND SUBSEQUENT RESOLUTIONS PERTAINING TO COMPENSATION FOR EMPLOYEE POSITION CLASSIFICATIONS REPRESENTED BY THE CHINO POLICE OFFICERS ASSOCIATION, CHINO POLICE MANAGEMENT ASSOCIATION AND UNREPRESENTED SWORN MANAGEMENT

**WHEREAS**, the City of Chino ("City") contracts with the California Public Employees' Retirement System ("CalPERS") to provide retirement benefits for its employees; and

**WHEREAS**, California Code of Regulations, Title 2, Section 570.5 requires governing bodies of local agencies contracting with CalPERS to approve and adopt publicly available pay schedules in accordance with public meeting laws; and

**WHEREAS**, California Section 36506 of the California Government Code requires that the City Council fix the compensation of all appointive officers and employees by resolution or ordinance; and

**WHEREAS**, the City Council of the City of Chino has historically adopted resolutions to establish salaries, benefits, and terms and conditions of employment for City employees, including, but not limited to, Resolution Nos. 85-52 and 85-54, and subsequent resolutions to establish changes to salaries, benefits, and terms and conditions of employment for City employees as well as resolutions adopting memoranda of understanding with represented employees; and

**WHEREAS**, the City desires to revise compensation and benefits for classifications represented by the Chino Police Officers Association, the Chino Police Management Association, and for Unrepresented Sworn Management; and

**WHEREAS**, the compensation and benefits and other terms and conditions of employment of the affected classifications are codified in a variety of City resolutions and memoranda of understanding and other labor or employment agreements; and

**WHEREAS**, one or more of the following agreed-upon changes to wages, hours, and terms and conditions of employment may regard subject matter previously set forth in City resolutions, memoranda of understanding, and other labor or employment agreements and/or have become prevailing practices which have developed over time; and

**WHEREAS**, to the extent that any of the following changes address subject matters already codified in City resolutions or memoranda of understanding or other labor or employment agreements, or defined by prevailing practices, it is the intent of the City that said codified wages, hours, and terms and conditions of employment and those matters defined by resolutions or memoranda of understanding or other labor or employment agreements or prevailing practices, continue in full force and effect subject to modifications described herein.

**NOW, THEREFORE BE IT RESOLVED** the City Council of the City of Chino does hereby adopt the attached Amendments to Memorandums of Understanding and Summaries of Benefits previously adopted which are updated to reflect changes as approved effective with the pay period which includes July 1, 2023. All provisions apply only to those individuals who are employed by the City of Chino on the day following adoption of this Resolution.

SECTION 1. The Amendment No. 2 to the Memorandum of Understanding between the City of Chino and the Chino Police Officers Association covering the period July 1, 2021, through June 30, 2025, attached hereto as Exhibit "A," is hereby approved.

SECTION 2. The Amendment No. 2 to the Memorandum of Understanding between the City of Chino and the Chino Police Management Association covering the period July 1, 2021, through June 30, 2025, attached hereto as Exhibit "B," is hereby approved.

SECTION 3. The following provisions are hereby adopted and supersede and replace any similar or related provisions in any City resolutions, memoranda of understanding, and other labor or employment agreements and/or any prevailing practices which have developed over time:

**PROVISIONS APPLICABLE TO CLASSIFICATIONS REPRESENTED BY THE CHINO POLICE OFFICERS ASSOCIATION.**

- A) COST OF LIVING ADJUSTMENT - A 4% increase will be made effective for the pay period including July 1, 2023.
- B) BENEFIT BANK – The total will be equal to the premium cost of HMO medical (at the rate equal to Kaiser), dental, and vision for family HMO coverage. Unused portions of the Benefit Bank will be paid out in the employee's regular paychecks as earned. Benefit Bank change will become effective December 1, 2023, and will be re-evaluated for new rates to become effective December 1, 2024.
- C) COMPENSATION TIME OFF – Two banks of time will be combined into one bank and employees will be allowed to use as time off.
- D) COMPUTER LOAN PROGRAM – A Computer Loan Program will be operated that provides for two City employees per month to be selected randomly offered participation.
- E) DISCIPLINARY APPEAL PROCESS – Resolution 2003-11 will be amended to reflect that the City Manager will no longer serve as the Hearing Officer.
- F) HOLIDAYS – Day before Christmas and the day before New Year's holiday observance are added as City Holidays. Both of these days are currently designated as ½ day holidays.
- G) HOLIDAY PAY – Updated to reflect 120 holiday hours.
- H) LONGEVITY PAY – Employees are eligible for a one-time lump sum payout upon reaching 10 years of service with the City of Chino, and at each five (5) year interval thereafter until separation.

- I) TUITION ADVANCE/ENHANCEMENT PROGRAM – Current Tuition Reimbursement Program will be modified to a Tuition Advance Program.

**PROVISIONS APPLICABLE TO CLASSIFICATIONS REPRESENTED BY THE CHINO POLICE MANAGEMENT ASSOCIATION.**

- A) COST OF LIVING ADJUSTMENT - A 4% increase will be made effective for the pay period including July 1, 2023.
- B) BENEFIT BANK – The total will be equal to the premium cost of HMO medical (at a rate equal to Kaiser), dental, and vision for family HMO coverage. Unused portions of the Benefit Bank will be paid out in the employee's regular paychecks as earned. Benefit Bank change will become effective December 1, 2023, and will be re-evaluated for new rates to become effective December 1, 2024.
- C) COMPENSATION TIME OFF – Two banks of time will be combined into one bank and employees will be allowed to use as time off.
- D) COMPUTER LOAN PROGRAM – A Computer Loan Program will be operated that provides for two City employees per month to be selected randomly and be offered participation.
- E) DISCIPLINARY APPEAL PROCESS – Resolution 2003-11 will be amended to reflect that the City Manager will no longer serve as the Hearing Officer.
- F) HOLIDAYS – Day before Christmas and the day before New Year's holiday observance are added as City Holidays. Both of these days are currently designated as ½ day holidays.
- G) HOLIDAY PAY – Updated to reflect 120 holiday hours.
- H) LONGEVITY PAY – Employees are eligible for a one-time lump sum payout upon reaching 10 years of service with the City of Chino, and at each five (5) year interval thereafter until separation.
- I) TUITION ADVANCE/ENHANCEMENT PROGRAM – Current Tuition Reimbursement Program will be modified to a Tuition Advance Program.
- J) MANAGEMENT LEAVE – To match Unrepresented Management benefit, up to an additional 60 hours of Management Leave may be granted by the City Manager.

**PROVISIONS APPLICABLE TO UNREPRESENTED SWORN MANAGEMENT.**

- A) COST OF LIVING ADJUSTMENT - A 4% increase for the Deputy Chief of Police and Captain and a 5% increase for the Chief of Police will be made effective for the pay period including July 1, 2023.
- B) BENEFIT BANK – The total will be equal to the premium cost of HMO medical (at a rate equal to Kaiser), dental, and vision for family HMO coverage. Unused portions of the Benefit Bank will be paid out in the employee's regular paychecks as earned. Benefit

Bank change will become effective December 1, 2023, and will be re-evaluated for new rates to become effective December 1, 2024.

- C) COMPUTER LOAN PROGRAM – A Computer Loan Program will be operated that provides for two City employees to be randomly selected per month to be offered participation.
- D) DISABILITY PROGRAM – Benefit period will not exceed five (5) years.
- E) DISCIPLINARY APPEAL PROCESS – Resolution 2003-11 will be amended to reflect that the City Manager will no longer serve as the Hearing Officer.
- F) HOLIDAY – Day before Christmas and the day before New Year's holiday observance are added as City Holidays. Both of these days are currently designated as ½ day holidays.
- G) HOLIDAY PAY – Updated to reflect 120 holiday hours.
- H) LONGEVITY PAY – Employees are eligible for a one-time lump sum payout upon reaching 10 years of service with the City of Chino, and at each five (5) year interval thereafter until separation.
- I) TUITION ADVANCE/ENHANCEMENT PROGRAM – Current Tuition Reimbursement Program will be modified to a Tuition Advance Program.
- J) MANAGEMENT LEAVE – To match Unrepresented Management benefit, up to an additional 60 hours of Management Leave may be granted by the City Manager.
- K) PHYSICAL FITNESS PROGRAM – Chief of Police will be eligible to participate in the Police Department's Annual Physical Fitness Program.
- L) RETIREMENT HEALTH SAVINGS PLAN – Chief of Police shall receive the same benefit as Deputy Chief of Police and Captain positions.

**SALARY RANGES EFFECTIVE 7/1/2023 FOR AFFECTED POSITION CLASSIFICATIONS.**

**Non-Management Classification (monthly salary amounts)**

	Step A	Step B	Step C	Step D	Step E
Corporal	\$8,278	\$8,691	\$9,127	\$9,216	\$9,676
Police Officer	\$7,698	\$8,083	\$8,487	\$8,912	\$9,356

**Sworn Management Classification (monthly salary amounts)**

	Base	22.5%	Maximum
Captain	\$14,220	\$16,709	\$17,063
Chief of Police	\$15,800	\$19,357	\$21,331
Deputy Chief of Police	\$14,930	\$17,544	\$17,917
Lieutenant	\$12,204	\$14,341	\$14,646
Sergeant	\$10,168	\$11,946	\$12,201

**PROVISIONS APPLICABLE TO ALL SWORN CLASSIFICATIONS.**

- A) NEGOTIATION REOPENER – Effective with the pay period that includes July 1, 2024 – June 30, 2025. A Total Compensation Survey will be conducted in August, 2024 using the same criteria used in the Total Compensation Survey conducted in 2022 and 2023. Any adjustments necessary to retain sworn classifications at number 3 rank among the survey cities, with the exception of the Benefit Bank, will be made retroactive to the pay period that includes July 1, 2024. When the premium rates are received for the 2025 calendar year, the new rates will be used to determine the total compensation ranking of sworn personnel among the survey cities and any updates to the amount of the Benefit Bank will become effective in December, 2024, when the new year's premium rates are implemented.
- C) SAVINGS CLAUSE - Should any clause in this Memorandum of Understanding be held invalid by a court of competent jurisdiction, then only that clause will be stricken, and the remainder of the Memorandum of Understanding will be in full force and effect. The City and the CPOA will immediately commence to negotiate for the purpose of replacing any invalid or illegal provision. However, no such replacement is mandated.

APPROVED AND ADOPTED THIS 3<sup>rd</sup> day of October, 2023.

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EUNICE M. ULLOA, MAYOR

ATTEST:

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NATALIE GONZAGA, CITY CLERK

**ATTACHMENTS:**

- Exhibit A: Amendment No. 2 to Memorandum of Understanding for Chino Police Officers Association
- Exhibit B: Amendment No. 2 to Memorandum of Understanding for Chino Police Management Association
- Exhibit C: Unrepresented Sworn Management Summary of Benefits

State of California )  
County of San Bernardino )ss.  
City of Chino )

I, Natalie Gonzaga, Acting City Clerk of the City of Chino, do hereby certify that the forgoing Resolution was duly adopted by the City Council at a regular meeting held on the 3<sup>rd</sup> day of October 2023, by the following votes:

AYES: COUNCIL MEMBERS:  
NOES: COUNCIL MEMBERS:  
ABSENT: COUNCIL MEMBERS:

NATALIE GONZAGA, CITY CLERK