

RESOLVED  
JUN 20 2007  
HUMAN RESOURCES  
CITY OF BENICIA

### Side Letter of Agreement

This Agreement is entered into by and between the Benicia Firefighters Association, Firefighters Local 1186 (hereinafter "BFA") and the City of Benicia (hereinafter "City"). The parties agree that:

1. A dispute has arisen between the parties relative to the interpretation and/or application of Section 13.1 of the Memorandum of Understanding (MOU).
2. The parties wish to avoid the expense and uncertainty associated with pursuing administrative adjudication of the dispute.
3. Section 13.1 of the MOU will be amended by adding the following paragraph:

The Administrative Captain may be assigned from a fifty-six (56) hour workweek to a forty (40) hour workweek. In such case, the Administrative Captain shall have his or her monthly sick leave accrual reduced to 17.14 hours (24 X 0.7143) while assigned to a forty (40) hour workweek. Sick leave balances as of the date the Administrative Captain converts to a forty (40) hour workweek shall be retained by the employee and only the new monthly accruals shall be modified as described herein.

4. In consideration of the BFA agreement to modify Section 13.1 of the MOU, the City shall recalculate and adjust sick leave hours credited to Administrative Captain Pete Fiore consistent with the provisions of paragraph 3 above for the period of February 1, 1998 through the date of execution of this Agreement.
5. BFA agrees to and hereby does withdraw the grievance filed January 8, 2007 on behalf of Captain Pete Fiori and all other similarly situated employees and considers it resolved by the terms of this Agreement.
6. This Agreement shall be treated as an amendment to the MOU.

For the City of Benicia:

Ken Hanley

Dated: June 12, 2007

Diane O'Connell

Dated: June 7, 2007

For BFA, Local 1186:

Matthew

Dated: JUNE 20, 2007

SJ Bass

Dated: 21 JUNE 2007