

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

RESOLUTION NO. RES-13-0099

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH APPROVING AMENDMENTS TO THE MEMORANDA OF UNDERSTANDING WITH THE LONG BEACH ASSOCIATION OF ENGINEERING EMPLOYEES, LONG BEACH ASSOCIATION OF CONFIDENTIAL EMPLOYEES, AND THE LONG BEACH LIFEGUARDS ASSOCIATION; DIRECTING THE CITY MANAGER TO EXECUTE THE AMENDMENTS TO SUCH MEMORANDA OF UNDERSTANDING; AND DIRECTING CERTAIN IMPLEMENTING AND RELATED ACTIONS

WHEREAS, on the date of this resolution, the City Council has considered Memoranda of Understanding between the City of Long Beach and the Long Beach Association of Engineering Employees, Long Beach Association of Confidential Employees, and the Long Beach Lifeguards Association;

WHEREAS, it is the desire of the City Council to approve Amendments to such Memoranda of Understanding and to provide for their implementation.

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. That the Amendments to the Memoranda of Understanding between the City of Long Beach and the Long Beach Association of Engineering Employees, Long Beach Association of Confidential Employees, and the Long Beach Lifeguards Association, which are hereby incorporated by reference in this resolution as Exhibits "A", "B", and "C", respectively, are hereby approved, and the City Manager is hereby authorized to execute said Amendments to Memoranda on behalf of the City and to implement, pursuant to Section 503 of the Long Beach City Charter, all matters

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1 affecting compensation contained in and prescribed by the Memoranda of Understanding  
2 as of the operative date of this resolution.

3           Section 2.    The City Manager is also authorized and directed to cause the  
4 preparation of amendments to the Long Beach Salary Resolution, and to such other  
5 documents as may be necessary, to conform such resolution and documents to the  
6 provisions of the Amendments to the Memoranda of Understanding and this resolution,  
7 and to further cause such conforming amendments to be brought before the City Council  
8 and such Boards and Commissions as may be required by law to act upon them, and the  
9 City Attorney is requested to cooperate fully with the City Manager in order to cause the  
10 required documents to be prepared as required by law and brought before the  
11 appropriate bodies.

12           Section 3.    This resolution shall take effect immediately upon its adoption  
13 by the City Council. All dates contained in the attached Amendments to the Memoranda  
14 that have retroactive application shall be given full force and effect as though adopted by  
15 the City Council on the dates specified in the attached Amendments to the Memoranda.  
16 The City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of October 22, 2013 by the following vote:

Ayes: Councilmembers: Lowenthal, O'Donnell, Schipske,  
Andrews, Austin, Neal, Garcia.

Noes: Councilmembers: DeLong, Johnson.

Absent: Councilmembers: None.

  
\_\_\_\_\_  
City Clerk

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AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF LONG BEACH AND  
THE LONG BEACH ASSOCIATION OF ENGINEERING EMPLOYEES

The City of Long Beach and the Long Beach Association of Engineering Employees (LBAEE) agree to amend the October 1, 2004 to September 30, 2008 Memorandum of Understanding as follows:

The labor agreement will be extended to expire on September 30, 2015. All existing terms and conditions set forth in that agreement shall remain unchanged for the term of the extension, except as modified below.

**1) Article Two: Section I, B. – General Salary Increase**

The Salary Resolution will be amended to provide for the following salary increases:

- October 1, 2013 - 5%
- October 1, 2014 - 4%

**2) Article Five: Section 1 – Retirement**

Effective October 1, 2013, or shortly thereafter, all represented CalPERS members also agree to pay the full employee share of CalPERS. Members shall receive an offset equivalent to the remaining portion of the full 8% employee share of CalPERS. Effective October 1, 2013, or shortly thereafter, the City will no longer designate EPMC as compensation earnable and report it as such to PERS for members of the bargaining unit.

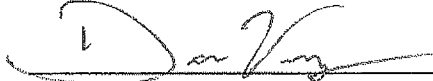
**3) Additionally**

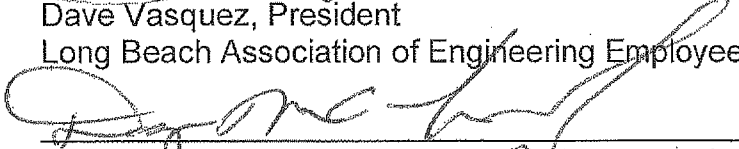
The City and LBAEE agree to a reopener on these topics if the City comes to new terms with the IAM prior to completion of the full term:


- a. The Fair Labor Standards Act (FLSA) application
- b. Sick Leave Conversion

In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this 5<sup>th</sup> day of NOVEMBER, 2013.

FOR THE LONG BEACH ASSOCIATION OF ENGINEERING EMPLOYEES:


  
\_\_\_\_\_  
Dave Vasquez, President  
Long Beach Association of Engineering Employees

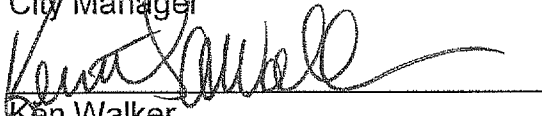
  
\_\_\_\_\_  
~~Jeremy Groves, Vice President~~ **DOUGLAS McLAUGHLIN**  
Long Beach Association of Engineering Employees


  
\_\_\_\_\_  
~~Uduak Ntuk, Secretary~~ **Rod Williams**  
Long Beach Association of Engineering Employees

\_\_\_\_\_  
Mike Gaskins, CEA Representative  
Long Beach Association of Engineering Employees

FOR THE CITY OF LONG BEACH:


  
\_\_\_\_\_  
Patrick H. West  
City Manager

  
\_\_\_\_\_  
Ken Walker  
Manager, Personnel Operations

  
\_\_\_\_\_  
Nani Blyleven  
Administrative Analyst III

  
\_\_\_\_\_  
Deborah R. Mills  
Director of Human Resources

  
\_\_\_\_\_  
Tara McLean  
Human Resources Officer

APPROVED AS TO FORM  
November 18, 2013  
CHARLES PARKIN, City Attorney  
By   
\_\_\_\_\_  
CHRISTINA CHECEL  
PRINCIPAL DEPUTY CITY ATTORNEY

**AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF LONG BEACH AND  
THE LONG BEACH ASSOCIATION OF CONFIDENTIAL EMPLOYEES**

The City of Long Beach and the Long Beach Association of Confidential Employees (LBACE) agree to amend the October 1, 2010 to September 30, 2011 Memorandum of Understanding as follows:

The labor agreement will be extended to expire on September 30, 2015. All existing terms and conditions set forth in that agreement shall remain unchanged for the term of the extension, except as modified below.

**1) Article Two: Section I, B. – General Salary Increase**

The Salary Resolution will be amended to provide for the following salary increases:

October 1, 2013 - 5%

October 1, 2014 - 1%

**2) Article Five: Section 1 – Retirement**

Effective October 1, 2013, or shortly thereafter, all represented CalPERS members also agree to pay the full employee share of CalPERS. Members shall receive an offset equivalent to the remaining portion of the full 8% employee share of CalPERS. Effective October 1, 2013, or shortly thereafter, the City will no longer designate EPMC as compensation earnable and report it as such to PERS for members of the bargaining unit.

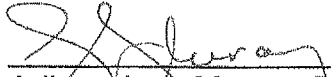
**3) Additionally**


The City and LBACE agree to a reopener on these topics if the City comes to new terms with the IAM prior to completion of the full term:

- a. The Fair Labor Standards Act (FLSA) application
- b. Sick Leave Conversion

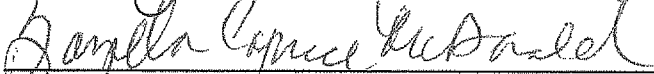
In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this 5<sup>th</sup> day of NOVEMBER, 2013.

FOR THE LONG BEACH ASSOCIATION OF CONFIDENTIAL EMPLOYEES:


  
\_\_\_\_\_  
Julissa Jose-Murray, President  
Long Beach Association of Confidential Employees


  
\_\_\_\_\_  
Mike Manning, Vice President  
Long Beach Association of Confidential Employees

  
\_\_\_\_\_  
Beverly Nieves, Secretary  
Long Beach Association of Confidential Employees

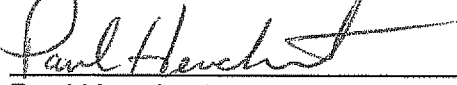
  
\_\_\_\_\_  
Bazella Caprice McDonald  
Long Beach Association of Confidential Employees


FOR THE CITY OF LONG BEACH:

  
\_\_\_\_\_  
Patrick H. West  
City Manager

  
\_\_\_\_\_  
Ken Walker  
Manager, Personnel Operations

  
\_\_\_\_\_  
Deborah R. Mills  
Director of Human Resources

  
\_\_\_\_\_  
Paul Heuchert  
Personnel Analyst III

APPROVED AS TO FORM  
November 18, 2013  
CHARLES PARKIN, City Attorney  
By   
\_\_\_\_\_  
CHRISTINA CHECEL  
PRINCIPAL DEPUTY CITY ATTORNEY

AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF LONG BEACH AND  
THE LONG BEACH LIFEGUARDS ASSOCIATION

The City of Long Beach and the Long Beach Lifeguards Association (LBLGA) agree to amend the November 1, 2005 to September 30, 2008 Memorandum of Understanding as follows:

The labor agreement will be extended to expire on September 30, 2015. All existing terms and conditions set forth in that agreement shall remain unchanged for the term of the extension, except as modified below.

**1) Article Two: Section II – Salary Schedule**

The Salary Resolution will be amended to provide for the following salary increases:

- October 1, 2013 - 5%
- October 1, 2014 - 4%

**2) Article Five: Section 1 – Retirement**

Effective October 1, 2013, or shortly thereafter, all represented CalPERS members also agree to pay the full employee share of CalPERS. Members shall receive an offset equivalent to the remaining portion of the full 9% employee share of CalPERS. Effective October 1, 2013, or shortly thereafter, the City will no longer designate EPMC as compensation earnable and report it as such to PERS for members of the bargaining unit.

**3) Additionally**

The City and LBGA agree to reopen the agreement prior to completion of the full term on the following:

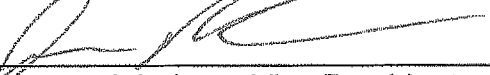
- a. The Fair Labor Standards Act (FLSA) application
- b. Sick Leave Conversion  
when the FFA and POA contracts are reopened on either subject.





In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this 5<sup>th</sup> day of NOVEMBER, 2013.

FOR THE LONG BEACH LIFEGUARD ASSOCIATION:

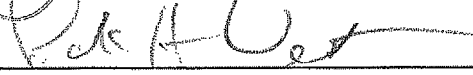
  
\_\_\_\_\_  
Cameron Abel, President  
Long Beach Lifeguard Association

  
\_\_\_\_\_  
James Reinheimer, Vice President  
Long Beach Lifeguard Association


  
\_\_\_\_\_  
Scott Mitchell, Secretary  
Long Beach Lifeguard Association


  
\_\_\_\_\_  
Derek Pakiz, Director  
Long Beach Lifeguard Association


FOR THE CITY OF LONG BEACH:

  
\_\_\_\_\_  
Patrick H. West  
City Manager

  
\_\_\_\_\_  
Tara McLean  
Human Resources Officer

  
\_\_\_\_\_  
Deborah R. Mills  
Director of Human Resources

  
\_\_\_\_\_  
Stephanie Kemp  
Personnel Analyst III

APPROVED AS TO FORM  
November 18, 2013  
CHARLES PARKIN, City Attorney  
By   
CHRISTINA CHECEL  
PRINCIPAL (DEPUTY CITY ATTORNEY