

33869

SIDE LETTER TO MOU COVERING INSTALLATION OF AMI EQUIPMENT METERS
BETWEEN CITY OF LONG BEACH AND LABORERS LOCAL 1309

The City of Long Beach ("City"), and the Laborers International Union of North America, Local No. 1309 affiliated with the Southern California District Council of Laborers ("Union") are parties to a Memorandum of Understanding ("MOU") covering the installation of AMI equipped meters or AMI communication modules as part of the AMI Project Full Deployment. Utility Partners of America is also a party to the MOU. This Side Letter is entered into between the City and the Union only and provides as follows:

1. The parties recognize that the City is a culturally and economically diverse community, including low income, disadvantaged, minority residents and at risk youth. The parties encourage construction employment and training opportunities in ways calculated to mitigate the harms caused by poverty and unemployment in economically disadvantaged areas and among disadvantaged residents of the City.
2. The Union, as a partner with the City under the MOU and as a construction union that has been the gateway for disadvantaged residents of the City to good construction industry jobs, is uniquely positioned to further the parties' interests in outreach efforts to the disadvantaged communities in the City. The City has a strong interest in providing outreach services to the disadvantaged residents so that they may pursue good paying career opportunities, and desires to use the services of the Union to accomplish this goal.
3. To further the parties' mutual goals concerning outreach to disadvantaged citizens of the City, the City agrees to provide a grant to the Union in the sum of \$50,000.00 payable in three monthly payments of \$16,666.67 each commencing March 1, 2016 and continuing to the last payment on May 1, 2016, in exchange for the union performing the services described in Section 4 below.
4. In consideration for the grant the Union shall provide the following services:
 - a. Conduct outreach meetings in high schools, vocational schools and community colleges in the City for the purpose of introducing residents to the career opportunities in the construction industry and in the Union;
 - b. Conduct additional outreach meetings in other locations as requested by the City, and support the City's efforts to communicate with disadvantaged residents regarding career opportunities in the construction industry;
 - c. Use best efforts to target disadvantaged residents in the City through all reasonable means with the goal of introducing such residents to opportunities in the construction industry;
 - d. At the City's request, meet with construction employers in the City to discuss participation in the Union's affiliated apprenticeship programs and the need to hire residents of the City;
 - e. Place qualified and screened residents of the City on a waiting list for the assessment entrance test for admission to the Union's affiliated apprenticeship programs, which include the Construction Craft Laborer Program, Cement Finisher Program and Landscape Irrigation Fitter Program. All of these programs

are approved by the California Division of Apprenticeship standards and the federal Department of Labor;

- f. City residents who are admitted to the apprenticeship program as part of the outreach program will be placed on the Union hiring hall list and eligible for referral to construction contractors performing work in the City and throughout Southern California, subject to the Union's normal hiring hall rules; and
 - g. Provide to the City upon request a report of its activities undertaken under this Side Letter.
5. The Union is an independent contractor. No person employed by the Union shall be considered an employee of the City because of the duties carried out under this Side Letter.
 6. This Side Letter constitutes the entire agreement between the parties regarding the subject matter covered by this Side Letter and supersedes all prior and contemporaneous agreements, representations, or understandings unless expressly included in this side letter.
 7. The Union will comply with all federal, state and local laws prohibiting discrimination of applicants to Union membership, admission to the apprenticeship programs, and referral to jobs. The Union shall not discriminate with regard to union membership, admission to apprenticeship programs and referral to jobs because of a person's race, religion, color, gender, age, national origin, ancestry, sexual orientation, or any other prohibited reason.
 8. The term of this Side Letter shall be January 1, 2016 through May 1, 2016, and shall terminate automatically on that date unless mutually extended in writing by the parties.

City of Long Beach

Laborers Local 1309

By: T. Bill

By: Santillan Red

Date: 4/13/16

Date: 2/10/16

Assistant City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

APPROVED AS TO FORM

3-22-2016
CHARLES PARKIN, City Attorney

By: [Signature]
RICHARD ANTHONY
DEPUTY CITY ATTORNEY