

RESOLUTION NO. RES-22-0157

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH APPROVING THE MOST RECENT
HARBOR DEPARTMENT SALARY RESOLUTION

WHEREAS, Section 503 of the Charter of the City of Long Beach provides that compensation of the employees of the Harbor Department shall be fixed by the Board of Harbor Commissioners by resolution, subject to the prior approval of the City Council by resolution; and

WHEREAS, the Board has presented to the City Council the most recent Harbor Department Salary Resolution (Resolution No. HD-3101) for consideration and approval by said Council;

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

Section 1. Pursuant to the provisions of Section 503 of the Charter of the City of Long Beach, the most recent Harbor Department Salary Resolution, a copy of which is attached hereto and on file with the City Clerk, is hereby approved.

Section 2. Provided implementation of any salary modifications shall be contingent upon completion of any and all meet and confer requirements with applicable bargaining units.

Section 3. That the City Clerk is hereby authorized and directed to forward to said Board of Harbor Commissioners, without delay, a certified copy of this resolution.

Section 4. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to 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 September 6, 2022 by the following vote:

Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw, Saro, Uranga, Austin, Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: Mungo.

Recusal(s): Councilmembers: None.

M. De J. Lopez
City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. HD- 3101

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3 A RESOLUTION OF THE BOARD OF HARBOR
4 COMMISSIONERS OF THE CITY OF LONG BEACH
5 CREATING THE DIVISIONS OF THE HARBOR
6 DEPARTMENT; CREATING POSITIONS OF EMPLOYMENT
7 AND FIXING THE NUMBERS THEREOF; ESTABLISHING
8 SCHEDULES OF SALARY RATES AND RANGES AND
9 ASSIGNING THE APPROPRIATE RANGES TO SAID
10 POSITIONS; FIXING AND PRESCRIBING THE
11 COMPENSATION FOR THE OFFICERS AND EMPLOYEES
12 OF THE HARBOR DEPARTMENT SUBJECT TO APPROVAL
13 OF THE CITY COUNCIL OF THE CITY OF LONG BEACH;
14 AMENDING AND RESTATING THE HARBOR
15 DEPARTMENT SALARY RESOLUTION AND REPEALING
16 RESOLUTION NO. HD-3062 PROVIDING THAT THIS
17 RESOLUTION SHALL BECOME OPERATIVE; AND MAKING
18 A DETERMINATION RELATING THERETO

19
20 WHEREAS, Section 1203(q) of the City Charter of the City of Long Beach
21 ("City Charter") provides that all officers and positions of employment in the permanent
22 service of the Harbor Department shall be created and their compensation fixed by
23 resolution of the Board; and

24 WHEREAS, the Board desires to create offices and positions of
25 employment in the Harbor Department, fix the number thereof, establish schedules of
26 salary rates and ranges, and fix and prescribe the compensation of the officers and
27 employees of the Harbor Department and provide for biweekly payment of such
28 compensation for the fiscal year commencing October 1, 2022; and

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WHEREAS, it is the desire of the Board, in the interests of uniformity, that the compensation prescribed herein shall become effective as of the same date that the compensation prescribed by the Board of Water Commissioners and the City Council shall become effective for their employees; and

WHEREAS, the Director of Planning and Environmental Affairs has determined that this resolution is not subject to the California Environmental Quality Act.

NOW, THEREFORE, the Board of Harbor Commissioners of the City of Long Beach resolves as follows:

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ATTACHMENTS

- ATTACHMENT I – BUREAUS, DIVISIONS AND POSITION TITLES
- ATTACHMENT II – POSITIONS AND PAY RATES
- ATTACHMENT III – SKILL PAYS
- ATTACHMENT IV – SALARY SCHEDULES

1 **SECTION 1. TITLE**

2 This Resolution shall be known as the "Harbor Department Salary Resolution," and may
3 be cited as such and shall be referred to herein as the Resolution.

4 **SECTION 2. ESTABLISHMENT OF BUREAUS, DIVISIONS AND POSITIONS**

5 There are hereby created and established in the Harbor Department the bureaus,
6 divisions, and positions set forth and listed in Attachment I. The establishment of
7 bureaus and divisions, each of which shall be respectively under the immediate
8 supervision and control of the indicated head of the bureau or division. Each Managing
9 Director and each division director shall be responsible to the Executive Director of the
10 Harbor Department for the proper and efficient administration of his or her bureau or
11 division. The Executive Director of the Harbor Department has the authority to move a
12 bureau or division administratively to ensure its proper and efficient administration as
13 deemed appropriate by the Board. Except as otherwise provided by this resolution, the
14 compensation for each position is hereby fixed and prescribed at one of the steps within
15 the Salary Ranges set forth in the Salary Schedules in Attachment IV, which pay rates
16 are indicated opposite each listed office and position by a Salary Range Number,
17 together with such additional compensation, if any, as provided herein or by applicable
18 ordinance.

19 **SECTION 3. POSITION COMPENSATION DESIGNATION**

20 **3.1 Compensation Designation**

21 The designation of certain positions in the schedule of positions contained herein and the
22 designation of grades within a specified classification are made for the purpose of
23 classifying such positions according to the degree of responsibility and character of the
24 duties required by such positions solely and only to the end that salary schedules for
25 such positions will reflect the differences in the responsibilities and duties attached to
26 positions of the same classification. The characterization of positions by said terms is
27 hereby declared to have no other purpose or effect and shall not in any manner change
28 or alter the classification of employees holding such positions.

1 **3.2 Occupational Code Designation**

2 The use of occupational code designations and the use of asterisks to denote
3 unclassified positions are for administrative purposes only. Changes in occupational code
4 designation and in the status of a position may occur and such changes will not require
5 amendment of this Resolution.

6 **SECTION 4. POSITION DUTIES**

7 Except as otherwise provided by the City Charter, every person holding any office or
8 position of employment hereinafter set forth shall perform such duties as are indicated by
9 the title of such office or position and as are usually incident to such office or position,
10 and such other duties as shall be assigned by his or her immediate superior, division
11 director, Senior Director, Managing Director, Senior Executive, Assistant Executive
12 Director, the Executive Director of the Harbor Department or by the Board.

13 **SECTION 5. ESTABLISHMENT OF PAY PERIODS AND PAY DAYS**

14 All salaries and wages provided in this resolution shall be computed and payable in
15 biweekly installments and such installments shall be paid every other Friday in
16 accordance with and in continuation of the schedule of biweekly pay periods and paydays
17 established and commenced by the provisions of Section 5 of the City's current Salary
18 Resolution.

19 **SECTION 6. EMPLOYMENT COMPENSATION**

20 Every person who has been or who hereafter may be duly appointed to an office or
21 position of employment in the Harbor Department, and who is qualified to hold and holds
22 such office or position from and after the date or dates the pay rates and compensation
23 prescribed herein shall become effective, or from the date of employment, whichever
24 occurs later, shall receive as full compensation for his or her services, a biweekly salary
25 payable every other Friday, in accordance with the payment procedure heretofore
26 established. That compensation shall be based on one of the pay rates set forth in the
27 applicable Salary Schedule set forth in this Resolution for his or her office or position,
28 together with such additional compensation, if any, as provided herein or by applicable

1 ordinance. The method and manner of determination of the compensation of each officer
2 and employee (collectively referred to as "employee" or "employees") shall be fixed as
3 provided below. Except as otherwise specifically designated, each Pay Rate Range
4 and/or Step is intended to be and shall be the basis for determining the biweekly salary.

5 **SECTION 7. EFFECTIVE TERM OF COMPENSATION**

6 The compensation prescribed herein shall remain in effect until superseded by the Board
7 of Harbor Commissioners and the City Council, to reflect adjustments in compensation
8 provided for in applicable Memoranda of Understanding and as otherwise prescribed by
9 the City Council for employees not covered by Memoranda of Understanding.

10 **SECTION 8. COMPENSATION COMPUTATION**

11 **8.1 Hourly**

12 The compensation for all Harbor Department employees shall be as prescribed and
13 expressed herein on a per-hour rate basis. The amount of the bi-weekly installment
14 payable to any employee shall be computed by multiplying the employee's pay rate per
15 hour by the number of hours or fraction of hours for which pay is actually due. The hourly
16 pay shall include any additional applicable compensation.

17 **8.2 Unauthorized Absences**

18 When an employee is absent for any reason other than one of the authorized reasons
19 stated in Section 1.06 of the City Council Personnel Ordinance, said employee is not
20 entitled to receive the full amount of his/her installment of pay for the bi-weekly pay
21 period during which said absence occurred. The amount of pay that said employee shall
22 receive for such pay period shall be computed by multiplying the employee's applicable
23 hourly pay rate by the number of hours or fraction of hours for which pay is actually due.

24 **8.3 Hourly Part-Time Computation**

25 If an employee is employed on other than a full-time basis, such employee's
26 compensation shall be computed by multiplying the hourly pay rate established for such
27 employee's position by the number of hours or fraction of hours for which pay is due to
28 said employee.

1 **SECTION 9. PAY DEDUCTION AUTHORIZATION**

2 Employees of the Harbor Department may, pursuant to and in accordance with the
3 provisions of this resolution and the administrative directives, regulations and policies
4 promulgated and issued by the Board of Harbor Commissioners/Executive Director of the
5 Harbor Department, authorize deductions to be made from their salaries or wages for
6 purposes authorized by the provisions of Article 6 of Chapter 1 of Division 4 of Title 1,
7 and Articles 1, 1.5 and 2 of Chapter 2 of Part 1 of Division 2 of Title 5 of the California
8 Government Code, except that such deductions for payment of dues or other services
9 provided by any employee organization or associations shall be only as provided by a
10 valid existing contract between the City and said employee organization or association.

11 **SECTION 10. SALARY SCHEDULES**

12 Pay rates for all offices and positions hereinafter referred to in Attachment II are set forth
13 in Salary Schedules as set forth in Attachment IV.

14 **SECTION 11. PAY RATES**

15 The biweekly salary of any employee who is originally appointed to any office or position
16 of employment listed in this Resolution shall be at Step I of the Salary Schedule for the
17 Pay Rate Range Number designated for such office or position. In those cases where
18 positions are designated with grade numbers, the biweekly salaries of such employees
19 shall be computed based upon the pay rate designated for the grade thereof. The Board,
20 by minute order, may specifically designate that the pay rate of any employee be fixed at
21 some other pay rate included within the applicable Salary Schedule as set forth in this
22 Resolution without limitation as to grade or numerical designation. The Board shall
23 designate the initial step or salary level of the applicable Salary Schedule of any
24 employee within the Pay Rate Range established in this Resolution for said employee's
25 position.

26 **SECTION 12. "H" RATES**

27 As to those positions for which there is an "H" pay rate specified as well as the regular
28 pay rate, the Board of Harbor Commissioners may specify, at the time of making an

1 appointment or at any time thereafter, which the appointee to such position is to be paid
2 at the "H" rate or at a regular pay rate.

3 **SECTION 13. PAY RATE PROGRESSION**

4 Except for the employees referred to in Section 14, after an employee has served an
5 initial six-month period of employment in a position at a pay rate designated as Salary
6 Schedule I , Step 1, as set forth in this Resolution, the salary of such employee (except
7 those employee positions set forth in Section 19) shall be at the applicable pay rate
8 designated as Salary Schedule I, Step 2; after a second six-month period of employment,
9 the salary of such employee will be at the applicable pay rate designated as Salary
10 Schedule I, Step 3; after a third six-month period of employment, the salary of such
11 employee will be at the applicable pay rate designated as Salary Schedule I, Step 4.

12 Thereafter, the pay rate of such employee shall successively be at the applicable pay
13 rate designated as Salary Schedule I, Steps 5, 6, or 7 upon his or her successive
14 completion of a one-year period of employment at the preceding pay rate. If the initial
15 salary of any employee has been specifically designated at a pay rate other than Step I,
16 Step 2, or Step 3, his or her pay rate thereafter, upon his or her successive completion of
17 a one-year period of employment at the preceding pay rate, shall be at the next
18 successively higher applicable step.

19 **SECTION 14. PAY FOR PERFORMANCE**

20 Employees who are covered by an existing Memorandum of Understanding with the
21 International Association of Machinists and Aerospace Workers ("IAM"), the Long Beach
22 Association of Engineering Employees, or the Long Beach Supervisors Employees
23 Association ("LBSEA") who receive a Meets Job Requirements rating on the majority of
24 the rating factors on the most recently completed Employee Performance Appraisal form,
25 and who have served an initial six-month period of employment in a position at a pay rate
26 designated as Step 1 in the Salary Schedule established by Section 11 of this resolution,
27 the salary of such employee shall be at the applicable pay rate designated as Step 2;
28 after a second six-month period of satisfactory performance of employment, the salary of

1 such employee shall be at the applicable pay rate designated as Step 3; and after
2 another six-month period of satisfactory performance, Step 4. Thereafter, the pay rate of
3 such employee shall successively be at the applicable pay rate respectively designated
4 as Step 5, 6, or 7 upon his/her successful completion of a one-year period of employment
5 at the preceding step. If the initial salary of any employee has been specifically
6 designated at a pay rate other than Step 1, 2, or 3, his or her pay rate thereafter shall,
7 upon his or her successful completion of a one-year period of employment at that pay
8 rate, be at the next successively higher applicable Step.

9 Employees hired prior to April 1, 2001, who are covered by an existing Memorandum of
10 Understanding with the International Association of Machinists and Aerospace Workers
11 or the Long Beach Association of Engineering Employees, will continue their step
12 advancement in accordance with the step placement in effect on that date, but subject to
13 the performance provisions set forth above.

14 **SECTION 15. PAY FOR EXECUTIVES/PROFESSIONALS**

15 **15.1 Salary Ranges**

16 The provisions of this resolution relating to assignment of employees to Pay Rate Steps
17 and to automatic pay step advancement shall not apply to employees in positions which
18 have been assigned to the Executive Salary Range (E00) in Attachment I of this
19 resolution.

20 **15.2 Executive Salary Rates**

Salary Range	Equivalent Monthly Salary Rate
E00	\$3,957 to \$36,667

21
22
23 The rates of compensation of the Executive Salary Range established herein are hereby
24 fixed and prescribed at any level within the limits of the salary rates shown above.

25 **15.3 Effective Term of Compensation**

26 Except as otherwise expressly provided in this Resolution, the salaries and compensation
27 fixed and prescribed herein for officers and employees of the Harbor Department shall
28 take effect at such time that the Board of Harbor Commissioners and the City Council of

1 the City of Long Beach approve, by resolution, the salaries and compensation fixed and
2 prescribed herein.

3 **15.4 Merit Increases and Performance Incentive Compensation**

4 Each officer or employee assigned to the Executive Salary Range (E00) shall be eligible
5 to participate in and receive Individual Performance Incentive Compensation, the purpose
6 of which is to compensate management employees for distinguished and outstanding
7 performance for the periods for which said Performance Incentive Compensation is paid
8 and in further anticipation of continued distinguished and outstanding performance in
9 subsequent periods.

10 Notwithstanding any other provision contained in this Resolution, the level of
11 compensation and any adjustment thereof payable to an officer or employee of the
12 Harbor Department in a position to which he or she has been assigned the Executive
13 Salary Range in this Resolution shall be determined on a merit basis. The initial
14 compensation of said officers or employees shall be fixed by the Board at a level of
15 compensation within the Executive Salary Range designated in Section 15.2. Thereafter,
16 the Executive Director of the Harbor Department shall have the authority to increase or
17 decrease the level of compensation of all said officers and employees assigned to the
18 Executive Salary Range except the Executive Director of the Harbor Department, the
19 Assistant Executive Director, the Capital Programs Executive and Executive Officer to the
20 Board of Harbor Commissioners. The Board, at its sole and exclusive discretion, may
21 change or revoke this delegation of authority at any time. The Board shall have the sole
22 and exclusive authority to designate the compensation of the Executive Director of the
23 Harbor Department, Assistant Executive Director, Capital Programs Executive and
24 Executive Officer to the Board of Harbor Commissioners as merited by performance.
25 Said increases and decreases in compensation shall not exceed a total of twelve percent
26 (12%) for officers and employees assigned to the Executive Salary Range in any fiscal
27 year, unless the Board finds that the percentage limitation is not applicable by reason of a
28 substantial change in the responsibility and authority of said officer or employee.

1 **15.4.1 Performance Plan for Incentive Compensation**

2 At or near the commencement of a fiscal year, the Executive Director of the Harbor
3 Department may establish a performance plan for an eligible employee or, in the case of
4 the Executive Director of the Harbor Department, the Executive Director of the Harbor
5 Department and the President of the Board, subject to the approval of the Board of
6 Harbor Commissioners, shall develop and establish a written and approved performance
7 plan for said employee which sets forth objectives or targeted results for the ensuing
8 fiscal year or remaining portion thereof. The attainment of these targeted results or
9 distinguished performance in a specific project or program shall qualify the employee for
10 Individual Performance Incentive Compensation.

11 **15.4.2 Amount of Incentive Compensation**

12 Individual Performance Incentive Compensation may be paid to any eligible employee in
13 an amount not to exceed \$3,500 per fiscal year based upon the evaluation of the
14 employee's performance by the Executive Director of the Harbor Department, or in the
15 case of the Executive Director of the Harbor Department, the Board of Harbor
16 Commissioners, and a determination by the evaluator that the objectives or targeted
17 results of the previously approved performance plan have been attained.

18 **SECTION 16. BOARD OF HARBOR COMMISSIONERS AUTHORITY**

19 ***16.1 Acting Appointments***

20 The Board may assign an employee of the Harbor Department to perform as the acting
21 Executive Director of the Harbor Department, Assistant Executive Director, Capital
22 Programs Executive, Managing Director, Senior Director, or division director whenever a
23 vacancy occurs in any such positions or when the Board determines that the incumbent
24 Executive Director of the Harbor Department, Assistant Executive Director, Capital
25 Programs Executive, Managing Director, Senior Director, or division director is unable to
26 perform the duties of his or her position and such an assignment is necessary for the
27 efficient and effective operation of the Harbor Department.

28 ///

1 **16.2 Acting Pay**

2 During the time the employee is so assigned and is performing in said acting capacity,
3 the employee shall be entitled to receive the compensation designated by the Board at
4 one of the Pay Rate Ranges set forth in this Resolution for the position to which said
5 employee is assigned. In accordance with the Memorandum of Understanding, for those
6 positions covered by the Long Beach Management Association, an acting appointee shall
7 receive a salary adjustment of 10 percent (10%), or not less than the minimum salary of
8 that range, whichever is greater. In addition, an acting appointee who moves from a
9 classified position to an unclassified appointment must sign a "Notice and Waiver of
10 Rights", City of Long Beach Civil Service Commission document.

11 **SECTION 17. AUTHORITY OF EXECUTIVE DIRECTOR OF THE HARBOR**

12 **DEPARTMENT**

13 Subject to and within the limitations of the provisions of the City Charter after the initial
14 appointment by the Board, the Executive Director of the Harbor Department may at any
15 time find and determine that an employee is entitled to be, and shall be, assigned to
16 either a different step within the Salary Range established for such office or position, or to
17 a different grade where positions are designated with grade numbers, and that an
18 employee shall receive the biweekly salary established therefore. Without limiting the
19 generality of the foregoing, the Board confers and delegates to the Executive Director of
20 the Harbor Department the authority to temporarily adjust the grade or step of an
21 employee subject to disciplinary action, in lieu of suspension without pay, as may be
22 required for the efficient and economical administration and management of the affairs of
23 the Harbor Department.

24 **SECTION 18. LIMITATIONS TO EXECUTIVE DIRECTOR OF THE HARBOR**

25 **DEPARTMENT AUTHORITY**

26 **18.1 Delegation to Executive Director of the Harbor Department with Limitations**

27 With respect to the administration of the provisions of this Resolution, the Board confers
28 and delegates to the Executive Director of the Harbor Department the authority and duty

1 to do and perform all actions relating to the administration and management of
2 employees of the Harbor Department as may be required for the efficient and economical
3 functioning thereof; provided, however, the powers and duties conferred upon and
4 delegated to the Executive Director of the Harbor Department shall not include the
5 powers (i) to make initial appointments or initial employment of officers and employees of
6 the Harbor Department; (ii) to fix the duties and initial compensation of such officers and
7 employees; (iii) to assign an employee to perform as acting Executive Director of the
8 Harbor Department, Assistant Executive Director, Capital Programs Executive, Managing
9 Director, Senior Director, or division director in accordance with the provisions of and
10 under the circumstances described in Section 16.1 above; (iv) to grant a leave of
11 absence without compensation to the Executive Director of the Harbor Department; (v) to
12 grant executive leave to the Executive Director of the Harbor Department; (vi) to
13 authorize, as additional compensation, the payment of actual moving expenses incurred
14 by a person in accepting a position with the Harbor Department; or (vii) to exercise such
15 powers as are exclusively reserved to the Board under the provisions of Article XII of the
16 Long Beach City Charter.

17 **SECTION 19. PROMOTIONS AND TRANSFERS**

18 Subject to the Board's power to set the pay rate of any employee at the time of making
19 the initial appointment at one of the pay rates established herein, in the event an
20 employee: (i) is promoted from one position to another for which a higher pay rate is
21 established, or (ii) is advanced from one grade to another in the same position for which
22 a higher pay rate is established, or (iii) is transferred from one department to another
23 without change of position; the Executive Director of the Harbor Department shall
24 designate the pay rate of such employee to be at one of the pay rates for such position or
25 grade which will be not less than the pay rate received by such employee immediately
26 prior to such promotion, advancement or transfer. Likewise, in the event an employee is
27 transferred, as prescribed by Civil Service Rules and Regulations, for other than
28 disciplinary reasons, from one position to another position for which a lower pay rate is

1 established, the Executive Director of the Harbor Department shall designate the pay rate
2 of such employee to be at one of the pay rates prescribed for such position to which the
3 employee is transferred.

4 **19.1 Definition of Period of Employment – Armed Forces**

5 For the purpose of computing the "period of employment" under the provisions of this
6 Resolution, an employee of the Harbor Department who has been reinstated to his
7 former position pursuant to the provisions of the Civil Service Rules and Regulations shall
8 be considered as having been in the continuous service of the Harbor Department during
9 the period said employee shall have served in the Armed Forces.

10 **SECTION 20. OTHER COMPENSATION**

11 **20.1 Overtime**

12 The method of computation of the amount of additional compensation to be paid to an
13 employee for overtime worked shall be in accordance with and pursuant to the applicable
14 definitions, conditions, and requirements of the City Council Personnel Ordinance and in
15 accordance with and pursuant to the Fair Labor Standards Act (FLSA), except that the
16 additional compensation for overtime exempt from FLSA shall not include uncontrolled
17 standby amounts in the computation.

18 **20.2 Vacation Pay-Off**

19 Subject to the requirements and conditions of the City Council Personnel Ordinance
20 relating to the availability of funds, every officer or employee of the Harbor Department
21 who, upon request of his or her bureau or division head and subject to the approval of the
22 Executive Director of the Harbor Department, shall consent to forego, and shall forego,
23 the taking of any annual vacation or portion thereof, shall be paid, as additional
24 compensation, a sum computed by multiplying the hourly rate of compensation
25 prescribed by this Resolution for the position held by said officer or employee by the
26 number of vacation hours which the employee shall forego. Time worked in lieu of annual
27 vacation or portion thereof shall not be considered as overtime or "extra time worked."

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1 **20.3 In Lieu Holiday Pay**

2 Section 4.01 (e) and (f) of the City Council Personnel Ordinance permits certain Harbor
3 Department employees to be absent thirteen working days per year with full pay, to be
4 prorated monthly, in lieu of absence of the employee on the holidays enumerated in the
5 City Council Personnel Ordinance. Subject to the prior approval of the Executive Director
6 of the Harbor Department, an employee may accumulate and carry over such properly
7 authorized unused "in lieu of holiday" time off for no longer than the close of the calendar
8 year immediately following the calendar year in which such time off was earned. In the
9 event that such accumulated "in lieu of holiday" time off is not taken as time off by the
10 employee by the end of the calendar year immediately following the calendar year in
11 which it was earned, then such accumulated time off shall be forfeited by the employee
12 and no compensation shall thereafter be paid therefore.

13 **20.3.1 Cash Payment**

14 Cash payment for any properly authorized accumulated and/or carried over unused "in
15 lieu of holiday" time off shall be made only upon an employee's termination of
16 employment with the City or when an employee is on a leave of absence pending the
17 approval of an application for ordinary or service-connected disability retirement which
18 has been filed by the employee or the City on behalf of the employee. The amount of
19 such additional compensation to be paid shall be computed by multiplying the employee's
20 hourly rate of compensation, prescribed by this Resolution for the position held by said
21 employee, by the number of unused "in lieu of holiday-hours" to which the employee is
22 entitled.

23 **20.4 Jury Duty**

24 All employees who receive a jury summons and are required to serve jury duty will be
25 provided paid release time in accordance with the applicable Memorandum of
26 Understanding. Unrepresented Miscellaneous employees will be provided paid release
27 time up to 80 hours when required to serve jury duty. Employees must inform their
28 supervisor immediately to accommodate work schedule changes. Employees who are on

1 jury service will have their work schedule changed to the day shift for each day they are
2 on jury service and are scheduled to work. Employees dismissed from jury service in time
3 to arrive at work at least two hours prior to the completion of the shift must report back to
4 work.

5 **20.5 Bereavement Leave**

6 In addition to the immediate family members provided in Section 2.09 of the City Council
7 Personnel Ordinance, great-grandfather and great-grandmother are defined as
8 immediate family members. Additionally, all unrepresented employees shall be entitled to
9 the same domestic partner provisions for sick leave and bereavement leave as is
10 contained in the Memorandum of Understanding with the International Association of
11 Machinists.

12 **20.6 Executive Leave**

13 Officers and employees of the Harbor Department in positions with the designated
14 Executive Salary Range (E00) are hereby authorized as being eligible to be granted
15 executive leave in accordance with the provisions of Section 4.10 of the City Council
16 Personnel Ordinance. In addition to the five days granted to eligible employees in
17 Section 4.10 of the City Council Personnel Ordinance, the Executive Director of the
18 Harbor Department may grant up to 80 additional hours of executive leave per calendar
19 year. The granting of executive leave to the Executive Director of the Harbor Department
20 in addition to that provided in Section 4.10 of the City Council Personnel Ordinance shall
21 be at the discretion of Board.

22 **20.7 Temporary Assignments**

23 **20.7.1 Training and Development**

24 An employee temporarily assigned to perform duties not ordinarily attached to his/her
25 position for the purpose of training and development pursuant to Section 63(3) of the Civil
26 Service Rules and Regulations will be compensated at the salary rate fixed and
27 prescribed by this resolution for the position involving the duties to which temporary
28 assignment has been made and at the step most closely approximating the pay rate of

1 the employee immediately prior to the temporary assignment provided that in no event
2 shall the pay rate for the temporary assignment exceed the employee's pay rate
3 immediately prior to the temporary assignment.

4 **20.7.2 Rehabilitation or Recovery from a Medical Condition**

5 An employee temporarily assigned to perform duties not ordinarily attached to his/her
6 position, for the purpose of rehabilitation or the recovery from a medical condition that
7 has been certified by the City Health Officer, pursuant to Section 63(5) of the Civil
8 Service Rules and Regulations, will be compensated at the salary rate fixed and
9 prescribed by this resolution for the position involving the duties to which temporary
10 assignment has been made and at the step most closely approximating the pay rate of
11 the employee immediately prior to the temporary assignment provided that in no event
12 shall the pay rate for the temporary assignment exceed the employee's pay rate
13 immediately prior to the temporary assignment.

14 **20.7.3 Y-Rate**

15 An employee temporarily assigned to perform duties not ordinarily attached to his/her
16 position pursuant to Sections 63(3) or 63(5) of the Civil Service Rules and Regulations,
17 which temporary assignment results in a lower hourly pay rate, may be Y rated (pay rate
18 frozen) until such time as the top step of the employee's new position is equal to or
19 surpasses the employee's Y-rate.

20 ***20.8 Higher Classification Pay***

21 **20.8.1 International Association of Machinists and Aerospace Workers**

22 Each employee represented by the International Association of Machinists and
23 Aerospace Workers who is required to perform the full range of duties in a higher level
24 classification or grade level position that is vacant, up to and including division director,
25 shall be paid an additional one dollar (\$1.00) per hour providing the following conditions
26 are met:

- 27 1. The higher-level duties performed must be those of a permanent budgeted
28 position that is vacant, either temporarily because of absence or reassignment of the

1 regular employee or vacant due to resignation, termination or other such action.

2 2. In no event shall the total compensation paid to the employee for regular salary
3 and higher classification pay exceed the seventh step of the higher classification or grade
4 level.

5 3. The temporary appointment to the higher classification must be approved by the
6 Executive Director of the Harbor Department or designee.

7 **20.8.2 Long Beach Association of Engineering Employees**

8 Each employee represented by the Long Beach Association of Engineering Employees,
9 who is required to perform the full range of duties in a higher-level classification or grade
10 level position that is vacant, up to and including division manager, shall be paid an
11 additional one dollar and sixty cents (\$1.60) per hour providing the following conditions
12 are met:

13 1. The higher-level duties performed must be those of a permanent budgeted
14 position that is vacant, either temporarily because of absence or reassignment of the
15 regular employee or vacant due to resignation, termination or other such action.

16 2. In no event shall the total compensation paid to the employee for regular salary
17 and higher classification pay exceed the seventh step of the higher classification or grade
18 level.

19 3. The temporary appointment to the higher classification must be approved by the
20 Executive Director of the Harbor Department or designee.

21 **20.8.3 International Brotherhood of Electrical Workers**

22 Each employee represented by the International Brotherhood of Electrical Workers, who
23 is required to perform the full range of duties in a higher-level classification or grade level
24 position that is vacant, up to and including division manager, shall be paid an additional
25 one dollar and sixty cents (\$1.60) per hour providing the following conditions are met:

26 1. The higher-level duties performed must be those of a permanent budgeted
27 position that is vacant, either temporarily because of absence or reassignment of the
28 regular employee or vacant due to resignation, termination or other such action.

1 2. In no event shall the total compensation paid to the employee for regular salary
2 and higher classification pay exceed the seventh step of the higher classification or grade
3 level.

4 3. The temporary appointment to the higher classification must be approved by the
5 Executive Director of the Harbor Department or designee.

6 **20.8.4 Exemptions**

7 The provisions of subsection 20.8.1 of this Section shall not apply to employees in
8 classifications included in and paralleling the safety series of the Public Employees'
9 Retirement System.

10 **20.9 Skill Pay**

11 When an employee classified in one of the positions listed in Attachment III is regularly
12 assigned to perform and does perform the occupational skill described in the column
13 hereof designated "Skill", said employee shall be paid on a per diem, hourly rate or one
14 time payment (bonus) basis, as indicated herein, the amount of additional compensation
15 set forth in the column designated "Additional Compensation" opposite the described
16 skill. The additional compensation prescribed herein shall be paid to the employee at an
17 hourly rate only if said employee is assigned to regularly perform said occupational skill
18 on a daily basis. If an employee is not regularly assigned to perform said occupational
19 skill on a daily basis, then the additional compensation prescribed herein shall be paid at
20 a per diem rate, and said per diem skill pay shall be paid only for each work day that said
21 employee actually performs said occupational skill, and such employee is not entitled to
22 receive and shall not be paid per diem skill pay for any day that said employee does not
23 work or is absent from work on a permitted absence. For purposes of this Section, any
24 employee in a non-career position shall receive skill pay in the same manner as
25 prescribed for a comparable employee in the classified career service and need not be
26 specifically designated in the following table(s) unless there is no comparable classified
27 position. The skill notes listed in Attachment III shall be effective on and after
28 April 1, 2000.

1 **20.10 Night Shift Differential**

2 **20.10.1 Definition of Night Shift Differential**

3 Employees who work a twelve-hour shift that begins or ends at midnight, shall be paid a
4 night shift differential for only those hours worked between the hours of 6:00 p.m. and
5 6:00 a.m.

6 **20.10.2 Night Shift Pay**

7 In addition to the compensation provided by Section 6 hereof, a night shift differential of
8 one dollar and twenty-five cents (\$1.25) per hour shall be paid to any permanent full-time
9 employee in the IAM and IBEW bargaining units whose regular schedule requires said
10 employee to work between the hours of 6:00 p.m. and 6:00 a.m., provided that:

11 **20.10.2.1 Night Shift**

12 The employee works one-half or more of his/her regularly scheduled shift between the
13 hours of 6:00 p.m. and 6:00 a.m. Such employee shall be eligible to be paid the
14 additional rate established by this Section for each hour worked during the entire shift; or

15 **20.10.2.2 Split-Shift**

16 The employee works between the hours of 6:00 p.m. and 6:00 a.m. as part of a "split
17 shift." Split shift is defined as: a shift of eight or more non-continuous work hours in a
18 single day, separated by a break of at least three non-working hours during said shift.
19 Such employee shall be paid the night shift differential established by this Section only for
20 each hour actually worked between the hours of 6:00 p.m. and 6:00 a.m.

21 **20.11 Standby Pay**

22 Effective on October 1, 2011, each employee designated as being represented by the
23 Long Beach Association of Engineering Employees shall be compensated at a rate of
24 one dollar and fifty cents (\$1.50) per hour for each full hour of standby duty as defined in
25 the Memorandum of Understanding between the City and the aforementioned employee
26 organization.

27 Each employee designated as being represented by the IAM shall be compensated at a
28 rate of one dollar and fifty cents (\$1.50) per hour for each full hour of standby duty as

1 defined in the Memorandum of Understanding between the City and the aforementioned
2 employee organization.

3 Effective on July 15, 2016, each employee designated as being represented by the
4 International Brotherhood of Electrical Workers shall be compensated at a rate of two
5 dollars (\$2.00) per hour for each hour of standby duty as defined in the Memorandum of
6 Understanding between the City and the aforementioned employee organization.

7 **20.12 Professional Certification Pay**

8 Employees in the Professional unit represented by the International Association of
9 Machinists and Aerospace Workers, and Long Beach Association of Engineering
10 Employees, pursuant to and in accordance with this resolution and the administrative
11 directives issued by the Director of Human Resources - Harbor, shall be eligible for
12 additional compensation of \$200 per month when he/she attains a professional
13 certification or license which: has been issued by a state or national recognized
14 professional organization; is appropriate to the employee's classification; exceeds the
15 requirements for the position; is subject to periodic renewal through recertification, testing
16 and continuing education; and has been authorized by the Director of Human Resources.

17 **20.13 Relocation Compensation**

18 The Board, in its discretion, may authorize, as additional compensation, the payment of
19 the actual moving expenses incurred by a person in accepting a position with the Harbor
20 Department as approved by the Executive Director to the Harbor Department when the
21 Board determines that such additional compensation is required as a further inducement
22 to a prospective officer or employee to accept employment with the Harbor Department.

23 **20.14 Tuition Reimbursement**

24 Permanent full-time or permanent part-time employees who are enrolled in an accredited
25 job and/or career-related college or university study program during off-duty hours are
26 eligible to receive tuition reimbursement in accordance with the Harbor Department's
27 Education Reimbursement Administrative Directive.

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1 **20.15 Damaged Personal Property Reimbursement**

2 Pursuant to the provisions of Section 53240 of the California Government Code, an
3 employee may receive the cost of replacing or repairing property such as eyeglasses,
4 hearing aids, dentures, watches, or articles of clothing when loss or damage occurs in the
5 line of duty and is not attributable to the employee's negligence. If the items are damaged
6 beyond repair, the actual value of such items may be paid. The value of such items shall
7 be determined as of the time of loss or damage. In the event of such loss or damage, the
8 employee seeking recovery shall file a request for reimbursement in writing with his/her
9 division head and the request shall be processed in accordance with the applicable
10 administrative regulations of the City.

11 **20.16 Expenses for the Board of Harbor Commissioners**

12 Notwithstanding any other provision of this Resolution, the members of the Board and the
13 officers and employees of the Harbor Department shall be allowed, in addition to their
14 salaries as provided, their actual and necessary expenses incurred in the performance by
15 them of the duties of their respective duties and positions; provided, however, and except
16 as otherwise provided in this Resolution, such expenses may be allowed to any such
17 board member or officer or employee only in those cases where the Executive Director of
18 the Harbor Department has either authorized or ratified the incurring of such expenses.

19 **SECTION 21. RECOGNITION AND REWARDS PROGRAMS**

20 **21.1 Employee Suggestion Award**

21 Employees of the Harbor Department may also receive additional compensation in the
22 form of suitable recognition awards as determined by the Executive Director of the
23 Harbor Department.

24 **21.2 Measurable Monetary Award**

25 Employees of the Harbor Department may, pursuant to and in accordance with the
26 provisions of this Resolution and the Administrative Directive issued by the Executive
27 Director of the Harbor Department and the Director of Human Resources – Harbor, be
28 awarded additional compensation for suggestions made that result in measurable

1 monetary savings. Measurable awards shall not exceed 10% of the anticipated first year
2 savings after adoption of the suggestion; provided, however, that the maximum award
3 shall not exceed Five Thousand Dollars (\$5,000).

4 **21.3 Non-Measurable Monetary Award**

5 The Executive Director of the Harbor Department may also authorize an award not to
6 exceed Two Hundred Dollars (\$200.00) for adopted suggestions resulting in benefits to
7 the Harbor Department which are not measurable in monetary term, and may authorize
8 the use of promotional awards to encourage participation in the program.

9 **21.4 Safety Awards**

10 Employees of the Harbor Department may also receive additional compensation in the
11 form of a suitable safety award as determined by the Executive Director of the Harbor
12 Department for successful participation in the Harbor Department's Safety Program.

13 **21.5 Port Familiarization Programs**

14 The Executive Director of the Harbor Department may provide up to two Port
15 familiarization programs each fiscal year for Harbor Department employees and their
16 families.

17 **21.6 Green Commute Transportation Program**

18 Employees of the Harbor Department who are eligible and volunteer to participate in the
19 Harbor Department's Green Commute Program as defined by Administrative Directive
20 shall be eligible to receive appropriate recognition and rewards as determined by the
21 Executive Director of the Harbor Department.

22 **SECTION 22. TRANSPORTATION**

23 Officers and employees requiring transportation in connection with the performance of
24 their duties for the Harbor Department may be eligible for: (I) an assigned City-owned
25 vehicle; (II) reimbursement for the actual cost of transportation per month for public
26 transportation;(III) reimbursement for the cost of transportation at the applicable IRS
27 mileage rate, or (IV) a monthly auto allowance not to exceed Four Hundred and Fifty
28 dollars (\$450.00) per month as determined by the Executive Director of the Harbor

1 Department in accordance with criteria established in the Vehicle Allowance
2 Administrative Directive. Said monthly allowance is hereby determined to constitute
3 reimbursement for expenditures and costs of operating and maintaining such vehicle,
4 including its availability, as required for the performance of such official City business.

5 **SECTION 23. CITY TRIP REDUCTION PLAN**

6 Effective July 1, 1992, employees of the City who are eligible and volunteer to participate
7 in the City's Trip Reduction Incentive Program as prescribed by the City's Trip Reduction
8 Plan and current Participation Guidelines, are eligible for monthly award drawings if they
9 participate at least twelve days per month. Participants with at least eight days per month
10 commuting by means other than a motorized vehicle shall also be eligible for a monthly
11 award drawing.

12 **SECTION 24. BENEFITS**

13 **24.1 Health Insurance**

14 On and after December 1, 2004, the City shall pay a maximum amount per month
15 toward the cost of health, dental, and life insurance benefits for each eligible employee
16 represented and non-represented employee as follows:

17 Represented Employees:

18 The amount of City contribution to health plan costs for employees in represented units
19 shall be in accordance with the various Memoranda of Understanding approved and
20 implemented by the City Council.

21 Non Represented Employees:

22 Effective December 1, 2016, the City shall pay a maximum per month toward the cost of
23 the City-sponsored health, dental, and life insurance benefits for each eligible employee.

24 **24.2 Health Insurance Premium**

25 Effective December 1, 2017, increases in the costs for health, dental, and life insurance
26 plans selected by non-represented employees shall be borne by employees in the
27 manner set forth below. The portion of this increase paid by the employee shall be added
28 to the existing payroll deductions for the coverage, but will not exceed the following

1 amounts:

2 a. On January 1, 2017, and every January 1st thereafter, employees with single or
3 two-party plan health coverage, shall pay thirty percent (30%) of the increase or \$25
4 whichever is less, over the rates in effect in the prior year for the plan options selected.
5 The \$25 cap will also apply to employees with family plan coverage in the plan year
6 2017.

7 b. Beginning January 1, 2018, employees with the family plan health coverage
8 shall pay thirty percent (30%) of the increase or \$30, whichever is less, over the rates in
9 effect in the prior year for the plan options selected.

10 c. If the employee's portion is in excess of their cap (\$25 for single or two-party
11 coverage or \$30 for family), the increase over the cap will be carried forward to the next
12 year and added to the employee's portion of the next year's increase until the carryover
13 amount is exhausted or the increase equals the cap, whichever is less.

14 d. The carryover of the remaining employee portion over the cap will continue
15 forward each year, maintaining the respective caps, until the carryover amount is
16 exhausted by adding it to the employee's portion. Please note that the carryover
17 methodology described above is not an individual employee account.

18 e. The amounts provided for the City's health insurance contribution shall be
19 applied first to the employee's health insurance coverage with any balance applied
20 toward the coverage of the employee's dependents under the same plan.

21 f. Adjustments in the monthly maximum shall be effective at the beginning of the
22 month in which the City health plan annual premium rate change adopted by City Council
23 is implemented.

24 g. On January 1, 2017, and every January 1st thereafter during the term of this
25 agreement, employees in all associations (except the Long Beach City Attorneys
26 Association, the Long Beach Lifeguards Association, the Association of Long Beach
27 Employees, and the Long Beach Association of Engineering employees), with single or
28 two party plan health coverage shall pay 30% of the increase or \$25 whichever is less,

1 over the rates in effect in the prior year for the plan options selected. The \$25 cap will
2 also apply to employees with family plan health coverage in plan year 2017.

3 h. Beginning January 1, 2018, employees with family plan health coverage in all
4 associations (except the Long Beach City Attorneys Association, the Long Beach
5 Lifeguards Association, the Association of Long Beach Employees, and the Long Beach
6 Association of Engineering employees), shall pay thirty percent (30%) of the increase or
7 \$30 whichever is less, over the rates in effect in the prior year for the plan options
8 selected, as described in their respective MOUs.

9 **24.3 In Lieu Health Insurance Pay**

10 In lieu of coverage under the health insurance program provided by the City for
11 employees holding permanent full-time positions, each employee in a permanent part-
12 time position (as defined in the City Council Personnel Ordinance), shall, for every one
13 hundred and seventy-four (174) hours worked by such permanent part-time employee be
14 paid Four Hundred Forty (\$440) dollars effective October 1, 2011. No permanent part-
15 time employee shall receive in any one fiscal year payments which are made pursuant to
16 this Section that amount to more than the total annual contribution made by the City
17 toward health insurance premiums for a permanent full-time employee for that same
18 fiscal year.

19 **24.4 Life Insurance**

20 **24.4.1 Eligibility for Life Insurance**

21 Each officer and employee of the Harbor Department shall, during the time they actually
22 hold an office or position of employment with the Harbor Department, be entitled to
23 receive, as additional compensation, such group life insurance benefits as may be
24 provided from time to time in a policy or policies of insurance obtained by the City or by
25 the Board. Proceeds of such a policy or policies shall be payable to a beneficiary named
26 by the person insured or, if none is named, to his or her estate.

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1 **24.4.2 Appointed/Executive**

2 Employees assigned to Salary Range E00 shall receive, unless they elect an available
3 alternative, as additional compensation life insurance benefits equal to three times their
4 full annual salary to a maximum of Five Hundred Thousand dollars (\$500,000), long- and
5 short-term disability insurance, and in-hospital indemnity benefits. Proceeds of any life
6 insurance benefits shall be payable to a beneficiary named by the person insured or, if
7 none is named, to his/her estate.

8 **24.4.3 International Association of Machinists and Aerospace Workers (IAM)**

9 If an employee represented by the IAM is killed on the job because of violence in the
10 workplace, the City shall continue to provide health insurance and dental insurance
11 benefits as follows:

12 1. For the surviving spouse until his/her remarriage, death, or Medicare eligibility,
13 whatever occurs first;

14 2. For the surviving children until their 19th birthday, or until age 26, if a full-time
15 student in an accredited college or university. Violence in the workplace does not include
16 accidents or acts of God.

17 **24.4.4 Accidental Death or Injury Insurance**

18 Each officer and employee of the Harbor Department during his or her employment shall
19 receive, as additional compensation, such insurance benefits for bodily injury or death
20 incurred by such officers or employees while traveling on official business of the City of
21 Long Beach as may be provided from time to time in a master policy or policies of travel
22 insurance as may be obtained by the City or by the Board pursuant to Section 3121 of
23 the California Government Code. Proceeds of such a policy or policies shall be payable
24 to a beneficiary named by the person insured or, if none is named, to his or her estate.

25 ***24.5 Consolidated Omnibus Budget Reconciliation Act (COBRA)***

26 Employees who are laid off and eligible for benefits under the Consolidated Omnibus
27 Budget Reconciliation Act (COBRA) shall have the premiums for the benefits they are
28 entitled to under COBRA paid by the City for the first six months after their layoff.

1 **24.6 Retirement Benefits**

2 Effective October 1, 1997, and subject to satisfaction of all eligibility requirements and
3 conditions, each officer and employee of the Harbor Department shall be eligible to
4 participate and receive all retirement benefits which have been and hereafter are
5 established by City Council by ordinance or resolution for officers and employees of the
6 City of Long Beach.

7 **24.7 Non-Approval of Disability Retirement**

8 The payment of retirement benefits to an employee terminating or pending disability
9 retirement shall be subject to all the requirements and conditions relating to the
10 availability of funds to make such payments as provided in the City Council Personnel
11 Ordinance. In the event the application for ordinary or service connected disability
12 retirement is disapproved, the employee shall not be entitled to any holiday or unused
13 portion thereof, for which a lump-sum payment has been received.

14 **24.8 Extended Leave of Absence**

15 The Executive Director of the Harbor Department may grant an extended leave of
16 absence, not to exceed one year, for the purpose of health, or study, travel and research,
17 to any employee of the Harbor Department. The application of such extended leave of
18 absence shall state the time desired and shall have the written approval of the applicant's
19 division head or designee. Any leave of absence granted under this Section shall be
20 without compensation during such absence. The position held by the employee to whom
21 the leave of absence is granted shall be filled for the term of the absence in the same
22 manner as vacancies are filled.

23 **24.9 Leave of Absence Without Pay**

24 The Executive Director of the Harbor Department may grant a leave of absence without
25 compensation to a person holding an office or position in the Harbor Department, said
26 leave not to exceed thirty (30) days in duration. Only the Board may grant a leave of
27 absence without compensation to the Executive Director of the Harbor Department.

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1 **24.10 Authorization to Instruct**

2 The Executive Director of the Harbor Department may authorize one or more employees
3 in the Harbor Department to act as instructors in public or private schools, colleges or
4 universities whenever the subjects of study in such classes are directly related to the type
5 or kind of work performed by such employee under his or her employment with the
6 Harbor Department, and the Executive Director of the Harbor Department has
7 determined that the conduct of said classes will directly promote or improve the efficiency
8 of the Harbor Department by reason of the attendance at such classes by employees or
9 prospective employees of the Harbor Department. The duties so authorized shall be in
10 addition to duties regularly attached to his or her office position. Every employee so
11 authorized to instruct such classes during business hours may charge such fee for his or
12 her services as may be prescribed by the Executive Director of the Harbor Department,
13 and all fees so collected shall be paid into the City Treasury by such employee.

14 **SECTION 25. ESTABLISHMENT OF POSITIONS & COMPENSATION OF THE CITY**

15 If the City Council, in its resolution approving the compensation fixed herein, or in the City
16 Salary Resolution, approves compensation (including skill pay) for offices or positions
17 listed herein at a compensation or skill pay different than that indicated opposite the
18 positions listed herein or approves classifications for offices or positions not listed herein,
19 then the Board does hereby fix the compensation for said office or position at the
20 compensation (including skill pay) so fixed by the City Council by resolution and the
21 Board does hereby adopt the classification for offices and positions fixed by the City
22 Council by resolution.

23 **SECTION 26. CONFLICTS**

24 **26.1 Memoranda of Understanding Conflicts**

25 Except as otherwise provided in this resolution and any other applicable Federal or State
26 laws, rules and regulations, it is the intent of the Board of Harbor Commissioners, by the
27 adoption of this Salary Resolution, to prescribe the salaries and compensation of the
28 employees of the Harbor Department, including the implementation of such adjustments

1 in salaries and compensation for the employees in each office or position of employment
2 with the City as provided in any applicable Memorandum of Understanding which has
3 heretofore been approved and adopted by the City Council, and in the event of any
4 inconsistency or conflict between the provisions of this resolution and the applicable
5 Memorandum of Understanding regarding such adjustments in compensation due to any
6 inadvertence, oversight, or clerical error, it is intended that the provisions in such
7 Memorandum of Understanding shall control and shall supersede the provisions of this
8 resolution, and such adjustments to the salaries and compensation shall be deemed to
9 have been correctly included herein, effective as of the applicable effective date, and
10 such matters shall be subsequently corrected by appropriate action.

11 **SECTION 27. ENVIRONMENTAL IMPACT**

12 The Board of Harbor Commissioners of the City of Long Beach hereby finds and
13 determines that this Harbor Department Salary Resolution will not have a significant
14 adverse effect on the environment and that this Harbor Department Salary Resolution is
15 not subject to provisions of the California Environmental Quality Act and the requirements
16 of the guidelines are not applicable.

17 **SECTION 28. CERTIFICATION OF RESOLUTION ADOPTION**

18 ***28.1 Repealing of Prior Salary Resolution***

19 Resolution No. HD-3062 of the Board of Harbor Commissioners of the City of Long
20 Beach are hereby repealed; and the repeal of said resolutions shall not repeal or in any
21 way abrogate any rights of an officer or employee, such as, but not limited to, accrued
22 time for step increases, overtime, and compensatory time.

23 ***28.2 Certification of Adoption***

24 The Secretary of the Board of Harbor Commissioners shall certify to the passage of this
25 Resolution, and it shall be deemed operative on the date on which this Resolution is
26 approved by the City Council, unless otherwise duly noted in this Resolution or
27 superseded by MOU provisions.

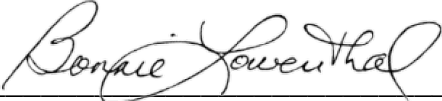
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I hereby certify that the foregoing resolution was adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting of August 22, 2022 by the following vote:

Ayes: Commissioners: Neal, Colonna, Lowenthal, Weissman

Noes: Commissioners: _____
Absent: Commissioners: Olvera
Not Voting: Commissioners: _____



Secretary

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664