

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND
THE HUNTINGTON BEACH FIREFIGHTERS' ASSOCIATION (HBFA), BY ADOPTING
THE SIDE LETTER OF AGREEMENT

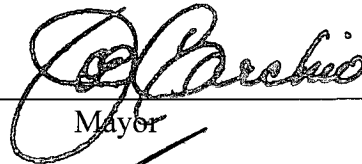
WHEREAS, on February 19, 2008, the City Council of Huntington Beach adopted Resolution No. 2008-13 for the purpose of adopting the Memorandum of Understanding (MOU) between the City and the Huntington Beach Firefighters' Association (HBFA); and

Subsequent to the adoption of the MOU, the City of Huntington Beach and HBFA agreed to changes, corrections, and clarifications to the MOU that are reflected in a Side Letter of Agreement between the City of Huntington Beach and HBFA ("Side Letter of Agreement") attached hereto as Exhibit A and incorporated herein by this reference. (Side Letter Agreement regarding wage increase deferral.)

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:


1. The Side Letter of Agreement attached hereto as Exhibit A is approved and adopted.
2. The Side Letter of Agreement amends the MOU between the City of Huntington Beach and HBFA.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 21st day of March, 2011.



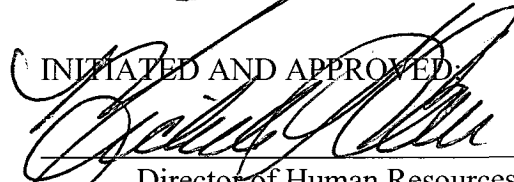
Mayor

REVIEWED AND APPROVED:



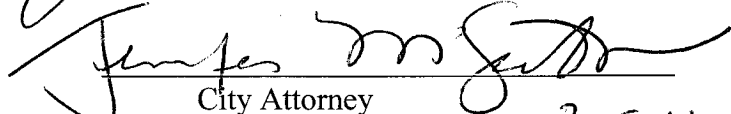
City Manager

INITIATED AND APPROVED:



Director of Human Resources

APPROVED AS TO FORM:



City Attorney

3-15-11

City of Huntington Beach
SIDE LETTER AGREEMENT

Representatives of the Huntington Beach Firefighters' Association ("HBFA") and the City of Huntington Beach ("City") hereby agree as follows:

This Side Letter Agreement is entered into with reference to the following facts.

- A. Article IV A, paragraph 6 of the current Memorandum of Understanding (MOU) between HBFA and the City provides that:

"Effective the beginning of the pay period that includes March 21, 2011, all bargaining unit employees shall receive a two and one half percent (2.5%) wage increase."

- B. The parties desire to explore amending the MOU under circumstances where there is a possibility that this obligation may be altered.

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

- I. The pay increase scheduled to take effect at the beginning of the pay period including March 21, 2011, as described above, shall be held in abeyance while the parties are engaging in discussions to explore the possibility of amending the MOU provided that, unless the parties reach agreement on a MOU amendment on or before May 1, 2011 that provides otherwise, the above pay raise shall be implemented retroactive to the beginning of the pay period including March 21, 2011.
- II. Except as modified above, all remaining terms and conditions set forth in the existing MOU, and all wages, hours and other terms and conditions of employment described therein and presently enjoyed by represented employees shall remain in full force and effect throughout the remainder of the term of the MOU as extended.
- III. The modified provisions contained in this side letter are effective following approval by the City of Huntington Beach City Council and will remain in full force unless otherwise specifically modified, either by subsequent side-letter or a successor memorandum of understanding.

IN WITNESS WHEREOF, the parties have caused this SIDE LETTER AGREEMENT to be executed by and through their authorized officers on MARCH 21, 2011.

**Huntington Beach
Firefighters' Association**



Darrin Witt
President

Dated: 3/18/11



Tim Andre
Vice-President

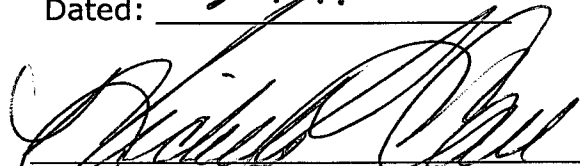
Dated: 3/18/11

City of Huntington Beach



Fred A. Wilson
City Manager

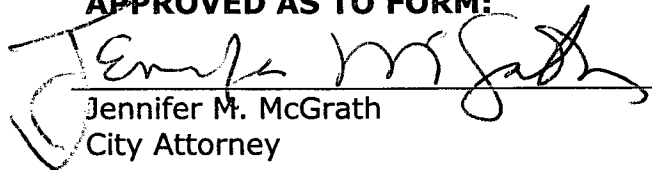
Dated: 3-17-11



Michele Carr
Director of Human Resources

Dated: 3-17-11

APPROVED AS TO FORM:



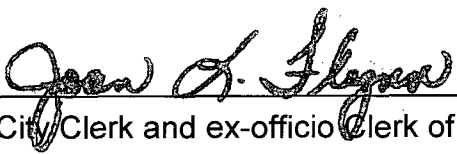
Jennifer M. McGrath
City Attorney

Dated: 3-17-11

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **regular** meeting thereof held on **March 21, 2011** by the following vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, Dwyer, Boardman
NOES: None
ABSENT: None
ABSTAIN: None



City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California