

RESOLUTION NO. 2009-57

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING THE CITY CLASSIFICATION PLAN AND THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY AND THE MUNICIPAL EMPLOYEES'
ASSOCIATION (MEA), BY ADOPTING THE SIDE LETTER OF AGREEMENT**

WHEREAS, on November 19, 2007, the City Council of Huntington Beach adopted Resolution No. 2007-85 for the purpose of adopting the Memorandum of Understanding (MOU) between the City and the Municipal Employees' Association (MEA);

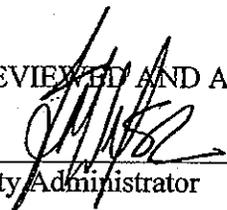
Subsequent to the adoption of the MOU, the City of Huntington Beach and MEA met and conferred and agreed to changes, corrections, and clarifications to the MOU that are reflected in a Side Letter of Agreement between the City of Huntington Beach and MEA ("Side Letter of Agreement") attached hereto as **Exhibit A** and incorporated herein by this reference. The Side Letter of Agreement pertains to class plan and salary range modifications.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Huntington Beach as follows:

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

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 5th day of October 2009.

REVIEWED AND APPROVED:

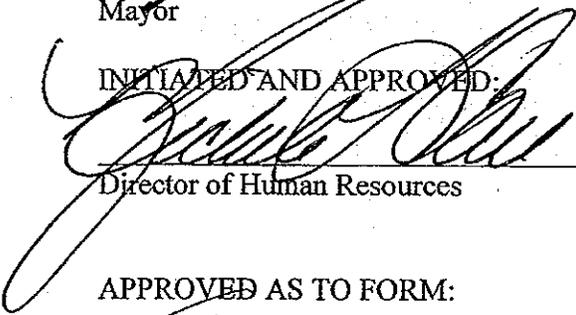


City Administrator



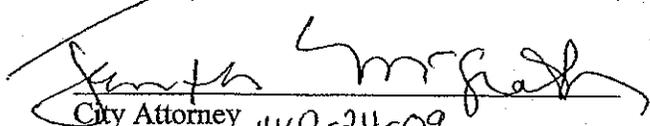
Mayor

INITIATED AND APPROVED:



Director of Human Resources

APPROVED AS TO FORM:



City Attorney 11/9-24-09

SIDE LETTER AGREEMENT

Representatives of the Municipal Employees' Association ("MEA") and the City of Huntington Beach ("City") have met and conferred and hereby agree to the following terms related to the MEA MOU regarding the implementation of the CPS Classification and Compensation Study for the classification of Engineering Technician.

NOW, THEREFORE, it is hereby agreed by City and MEA as follows:

Article II – Representational Unit/Class

The following modified and newly created positions are hereby incorporated into the MEA MOU as listed in Exhibit "A" (as approved by the Personnel Commission September 16, 2009).

- Engineering Technician – MEA Range R 499 (modified)
- Engineering Technician, Senior – MEA Range R 529 (new)
- Construction Project Coordinator – MEA Range R 539 (new)

Side Letter Implementation

Upon approval of the City Council, the implementation date of this side letter agreement shall be determined to be the equivalent date of implementation as provided in the CPS Classification and Compensation Study (the pay period following June 4, 2007) as approved by the City of Huntington Beach City Council on August 20, 2007.

The parties agree that this side letter agreement fully and completely complies with Article I (B) – Term of MOU and that no other MEA classifications are subject to the terms and conditions of this side letter agreement.

The parties agree that the classification study, this side letter agreement and the implementation thereof will not be subject to Personnel Rule 19 – Grievance Procedure/Non-Disciplinary Matters nor Article XIV-Miscellaneous (A) – Grievance Arbitration or otherwise appealed either administratively or in a court of competent jurisdiction.

The parties agree that the Association shall withdraw the Unfair Labor Practice charge (Case No. LA-CE-460-M) filed with the Public Employment Relations Board.

REAFFIRMATION

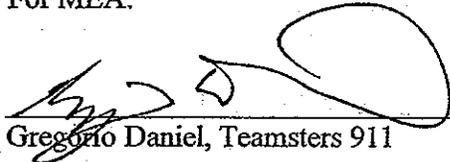
Except as specifically modified herein, all other terms and conditions of the MOU shall remain in full force and effect.

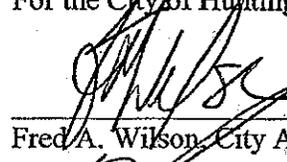
(Signatures Continued)

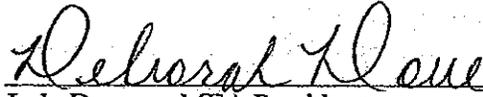
IN WITNESS WHEREOF, the parties have caused this SIDE LETTER AGREEMENT to be executed by and through their authorized officers on OCTOBER 05, 2009.

For MEA:

For the City of Huntington Beach:


Gregorio Daniel, Teamsters 911


Fred A. Wilson, City Administrator

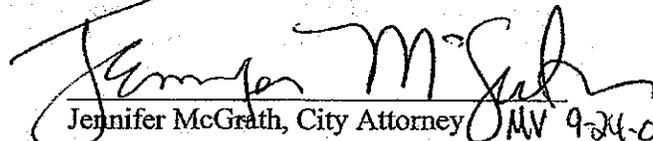
FOR 
Judy Demers, MEA President


Michele Carr, Director of Human Resources

Dated: 9/30/09

Dated: 9/24/09

APPROVED AS TO FORM:


Jennifer McGrath, City Attorney MV 9-24-09

Dated: 9.24.09