

RESOLUTION NO. 2009-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE
POLICE MANAGEMENT ASSOCIATION, BY ADOPTING THE SIDE LETTER OF
AGREEMENT (REGARDING USE OF CITY VEHICLES)

WHEREAS, on July 17, 2006, the City Council of Huntington Beach adopted Resolution No. 2006-43 for the purpose of adopting the Memorandum of Understanding (MOU) between the City and the Police Management Association (PMA);

Subsequent to the adoption of the MOU, the City of Huntington Beach and PMA 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 the PMA ("Side Letter of Agreement") attached hereto as Exhibit A and incorporated herein by this reference. The Side Letter of Agreement pertains to use of City vehicles.

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

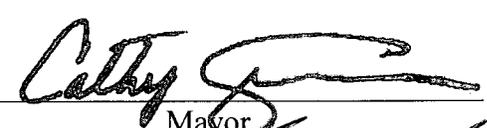
- Section 1. The Side Letter of Agreement attached hereto as Exhibit A is approved and adopted.
- Section 2. The Side Letter of Agreement amends the MOU between the City of Huntington Beach and the PMA.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 21st day of December 2009.

REVIEWED AND APPROVED:



City Administrator



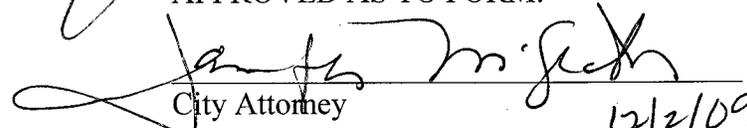
Mayor

INITIATED AND APPROVED:



Human Resources Director

APPROVED AS TO FORM:



City Attorney

12/2/09

SIDE LETTER AGREEMENT--HBPMA

Representatives of the Huntington Beach Police Management Association ("HBPMA") and the City of Huntington Beach ("City") have met and conferred and hereby agree to the following terms related to Take Home Vehicle Use pursuant to Article VI of the MOU between the HBPMA and City.

Effective DECEMBER 21, 2009, Article VI.A.1. of the MOU between the HBPMA and the City is hereby deleted and replaced as follows:

ARTICLE VI -- ADDITIONAL MANAGEMENT BENEFITS

A. Take Home Vehicle Use

1. Employees must reside within thirty-five (35) miles of the City limits to be assigned an unmarked vehicle. An employee assigned an unmarked vehicle is required to be able to report directly to work or any emergency situation, at any time, at the direction of the Chief of Police or his delegate. Use of an unmarked vehicle for more than minimal personal use is not authorized.

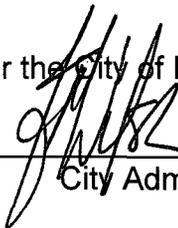
For HBPMA



President

Dated: 12/8/09

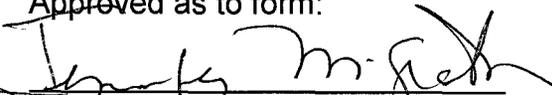
For the City of Huntington Beach



City Administrator

Dated: _____

Approved as to form:



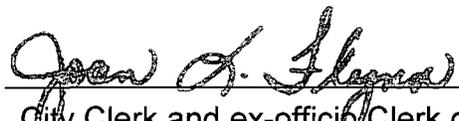
Jennifer McGrath, City Attorney

Dated: 12/2/09

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 **December 21, 2009** by the following vote:

AYES: Carchio, Coerper, Hardy, Green, Bohr, Dwyer, Hansen
NOES: None
ABSENT: None
ABSTAIN: None



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