

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9149-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING THE MEMORANDUM OF UNDERSTANDING ON SALARIES, WAGES, AND FRINGE BENEFITS FOR THE TERM 2009-2012, AS AMENDED, BY AND BETWEEN THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, GARDEN GROVE LOCAL 2005 AND THE CITY OF GARDEN GROVE

WHEREAS, the California Public Employees' Retirement System (CalPERS) conducted an audit of the City in 2011;

WHEREAS, CalPERS issued a final audit report in June 2012 indicating general satisfaction with the City's reporting to CalPERS, but also noting several corrections to be made pursuant to California Code of Regulations (CCR) Section 570.5 and Section 571, pertaining to the specific elements of compensation that are reportable to CalPERS;

WHEREAS, the City of Garden Grove wishes to bring the City into full compliance by adopting the corrective actions listed in the CalPERS audit with all deliberate speed, which include making specific amendments to labor union contracts and resolutions, as appropriate; and

WHEREAS, the International Association of Fire Fighters, Garden Grove Local 2005 shares with the City the goal of bringing the City in general and their union in particular into full compliance with the CalPERS audit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY RESOLVE:

Section 1. The Memorandum of Understanding on Salaries, Wages and Fringe Benefits 2009-2012, by and between the International Association of Fire Fighters, Garden Grove Local 2005 and the City of Garden Grove as approved and adopted by the City Council in Resolution No. 8883-09 and amended by Resolution No. 8958-10 and Resolution No. 9110-12 is hereby amended to read as follows:

Article III, Section 10 ("Uniforms"):

10. UNIFORMS

The City shall provide up to four work uniforms per year on an as-needed basis. The cost of uniforms shall not constitute compensation for purposes of the regular rate calculation under the Fair Labor Standard Act. This policy shall remain in effect unless a change is dictated by applicable law.

*The City shall report to CalPERS the monetary value of uniforms and uniform maintenance for those employees required to wear uniforms. The monetary value by classification is listed in Exhibit D, entitled "UNIFORM ALLOWANCE."*

*Uniform allowance is defined as compensation paid or the monetary value for the purchase, rental and/or maintenance of required clothing, including clothing made from specially designed protective fabrics, which is a ready substitute for personal attire the employee would otherwise have to acquire and maintain.*

Section 2. The Director of Human Resources is directed to effect, at his earliest opportunity, whatever procedural changes are necessary to implement this Resolution.

Adopted this 13<sup>th</sup> day of November 2012.

ATTEST:

/s/ WILLIAM J. DALTON  
MAYOR

/s/ KATHLEEN BAILOR, CMC  
CITY CLERK

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS:  
CITY OF GARDEN GROVE )

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on the 13<sup>th</sup> day of November 2012, by the following vote:

AYES:    COUNCIL MEMBERS:   (5) BEARD, BROADWATER, JONES, NGUYEN, DALTON  
NOES:    COUNCIL MEMBERS:   (0) NONE  
ABSENT:  COUNCIL MEMBERS:   (0) NONE

/s/ KATHLEEN BAILOR, CMC  
CITY CLERK

**EXHIBIT "D"**

**ASSOCIATION OF FIREFIGHTERS UNIFORM ALLOWANCE**

<b>TITLE</b>	<b>REPORTED TO PERS EACH PAY PERIOD</b>
FIREFIGHTER	\$ 47.94
FIRE ENGINEER	\$ 47.94
FIRE CAPTAIN	\$ 47.94