AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF LONG BEACH AND
THE LONG BEACH CITY PROSECUTORS ASSOCIATION

The City of Long Beach and the Long Beach City Prosecutors Association (LBCPA) agree to amend the October 1, 2007 to September 30, 2012 Memorandum of Understanding as follows:

The labor agreement will be extended by one year, to expire on September 30, 2013. All existing terms and conditions set forth in that agreement shall remain unchanged for the term of the extended agreement, except as modified below.

1. Due to the current economic situation, the LBCPA agrees to defer the general salary increase and equity adjustment effective on October 1, 2009, October 1, 2010 and October 1, 2011 for one year from their original effective dates and extend the term of the contract to September 30, 2013.

2. In consideration of the Long Beach City Prosecutors Association willingness to help address the City's financial challenges by agreeing to the deferral of the FY 10 general salary and equity adjustments, the City will not unilaterally impose furloughs during Fiscal Year 2010, unless there is a $10 million or more loss of General Fund revenues or uncontrollable General Fund expenditures of $10 million or more when compared to the Fiscal Year 2010 Adopted Budget. Any increase in discretionary revenue or available alternative funding sources will be taken into consideration prior to implementation of a furlough.

   If based on the financial situation it is determined that furloughs will be necessary in accordance with this section, the City will provide notice in writing to the LBCPA to include detailed financial information documenting the need to implement furloughs. This will initiate a 30-calendar day meeting period where the parties will meet to explore compensation and benefit related savings as alternatives to furloughs.

3. In the event that the City and another Miscellaneous Association agree to modify the parameters for the financial occurrence identified in No. 2 of this agreement to parameters more beneficial to the LBCPA, then the more beneficial parameters shall also apply to the LBCPA and will supersede the parameters currently identified in No. 2 of this agreement.

4. The City and the LBCPA agree that during the term of the agreement, either party may request a reopener with 30 days notice to discuss possible changes to pension plans. The outcome of the reopener must be mutually agreeable.

In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this 20th day of OCTOBER, 2009.

FOR THE LONG BEACH CITY PROSECUTORS ASSOCIATION

Calvin "Ray" George, President
Long Beach City Prosecutors Association

FOR THE CITY OF LONG BEACH:

Patrick H. West, City Manager

Suzanne R. Mason
Director of Human Resources

Ken Walker
Manager, Personnel Operations

Thomas M. Reeves, City Prosecutor

APPROVED AS TO FORM:

Robert E. Shannon, City Attorney