

RESOLUTION NO. 1910-074

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, IMPOSING THE LAST, BEST, AND FINAL OFFER TO THE REDONDO BEACH FIREFIGHTERS' ASSOCIATION IN ACCORDANCE WITH GOVERNMENT CODE 3505.7

WHEREAS, the City of Redondo Beach and the Redondo Beach Firefighters' Association (RBFA) were signatories to a Memorandum of Understanding (MOU) that set forth certain terms and conditions of employment for members of RBFA, which expired on June 30, 2018; and

WHEREAS, the City and RBFA met and conferred in good faith over 14 times from April 3, 2018 to June 11, 2019, and did not reach agreement on the terms of a successor MOU; and

WHEREAS, on May 24, 2019, the City submitted its Last, Best and Final Offer to the RBFA, which was not accepted by RBFA and the groups were not able to reach an agreement on a successor MOU; and

WHEREAS, the City provided the RBFA with a written declaration of impasse on June 11, 2019 and

WHEREAS, the City and the RBFA participated in factfinding on August 6, 2019 in accordance with Government Code 3505.5, and the factfinding panel submitted their report to the City on September 3, 2019;

WHEREAS, the City of Redondo Beach made the findings and recommended terms of settlement from the panel publicly available on September 9, 2019 by posting on the City's website; and

WHEREAS, in accordance with Government Code 3505.7 and no earlier than ten days following the receipt of the findings of fact and recommended terms of settlement from the factfinding panel, the City Council held a public hearing on October 1, 2019 and has considered the impasse between the City and the RBFA, along with the report and recommendations from the panel; and

WHEREAS, the City Council has concluded that it is appropriate to implement the terms of the City's Last, Best and Final Offer.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City's Last Best and Final Offer to the Redondo Beach Firefighter's Association is hereby adopted and implemented, setting forth the terms and conditions of employment as marked Exhibit "A" and attached hereto and made a part hereof, effective October 1, 2019, is hereby adopted.

SECTION 2. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

PASSED, APPROVED AND ADOPTED this 1st day of October, 2019.

William C. Brand, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael W. Webb, City Attorney

Eleanor Manzano, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No.CC-1910-074 was passed and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 1st day of October, 2019, and there after signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC
City Clerk

**City of Redondo Beach/RBFA
2018 Labor Negotiations
Last, Best, and Final Offer
And Declaration of Impasse
City of Redondo Beach to RBFA
June 11, 2019**

The City of Redondo Beach hereby makes the following last, best and final offer to the Redondo Beach Firefighters Association for a new Memorandum of Understanding (MOU) to cover the wages, hours and other terms and conditions of employment of the employees in the bargaining union represented by RBFA for the 2018-19 fiscal year, July 1, 2018 through June 30, 2019.

The City and RBFA have held negotiating sessions on April 3, April 12, May 2, May 10, June 4, June 15, June 28, July 26, August 13, August 30, and September 27, 2018; January 14, March 14, and March 26, 2019, and have exchanged written proposals. City representatives in these negotiations have made it clear the City's interest in addressing overtime, and every City proposal has included calculating overtime based on the FLSA standard; and every RBFA response has rejected the City proposals, and has not included any proposal to otherwise address overtime. RBFA representatives have advised the City representatives that the City's positions are unacceptable. Accordingly, it has become clear that the parties are unable to reach agreement and that a stalemate in negotiations exists.

The City initially issued its last, best, and final Offer on May 24, 2019, and RBFA initially requested an extension of time to respond until May 31, 2019. Then on May 31, 2019, RBFA represented that it had a proposal which would include addressing overtime, but their team was only available to meet on June 10, 2019. After being unable to meet on June 10, 2019, RBFA sent over its last, best, and final offer that did not include addressing overtime, and was regressive compared to their last proposal dated March 26, 2019.

Therefore, the City confirms the following as its last, best and final offer to RBFA for a new MOU for the 2018-2019 fiscal year. RBFA has confirmed its rejection of the City's last, best, and final offer, has issued its own last, best and final offer, and thus **as of June 11, 2019, the parties are at impasse as defined in the City's Resolution No. 6046.**

The terms of the City's last, best and final offer are as follows:

1. Term, 1 year, July 1, 2018, to and concluding June 30, 2019.
2. Compensation, 2% Base Salary increase effective upon implementation of the terms and conditions.
3. Holiday Cash out language change, the City agrees to restructure the language and operation so that holidays are paid in the year they are accrued, beginning January 1, 2020; for existing employees that will have a secondary bank, it will be cashed out at separation understanding it will not be PERSable.

4. FLSA overtime language, paid leave time shall not count as hours worked; only hours actually worked shall count toward the 7(k) overtime threshold; effective upon implementation of the terms and conditions.

All other City proposals are withdrawn. All other RBFA proposals are rejected.