

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** City Manager

**AGENDA DATE:** October 5, 2010

**CONTACT PERSON/PHONE:** William Studer, Jr., Deputy City Manager, 541-4252

**DISTRICT(S) AFFECTED:** All

**SUBJECT:** A Memorandum of Understanding (Extension Agreement) to extend contract period of the Articles of Agreement dated March 18, 2008 between the CITY OF EL PASO and LOCAL 51, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, INC., through August 31, 2011.

**BACKGROUND / DISCUSSION:** The City and Local 51 reached tentative agreement to the above contract extension through the collective bargaining process. The membership of Local 51 ratified the MOU/Extension Agreement on September 24, 2010. The agreement is now presented to the City Council for ratification. No changes are made to the agreement in the MOU and the pay scale remains as was set on January 3, 2010.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

The current collective bargaining agreement with the Association was entered into on March 18, 2008, and was amended on August 25, 2009 and March 9, 2010.

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**AMOUNT AND SOURCE OF FUNDING:**

**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Memorandum of Understanding (Extension Agreement) to extend contract period of the Articles of Agreement dated March 18, 2008 between the CITY OF EL PASO and LOCAL 51, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, INC., through August 31, 2011.

PASSED AND APPROVED this 5<sup>th</sup> day of October 2010.

CITY OF EL PASO

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John F. Cook  
Mayor

ATTEST:

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Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

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Elaine S. Hengen  
Senior Assistant City Attorney

STATE OF TEXAS	)	MEMORANDUM
	)	OF
	)	UNDERSTANDING
	)	(EXTENSION AGREEMENT)
COUNTY OF EL PASO	)	

This Memorandum of Understanding (Extension Agreement) is entered into by and between the City of El Paso, hereinafter referred to as "City," and Local 51, International Association of Firefighters, Inc., hereinafter referred to as "Union" on the \_\_\_\_ day of \_\_\_\_\_, 2010.

**WITNESSETH:**

**WHEREAS**, on March 18, 2008, Articles of Agreement between the City and Local 51, International Association of Firefighters, Inc. ("Articles of Agreement") were approved for the period through August 31, 2010 ("present agreement"), which pursuant to Article XXXII, automatically extends from year to year until replaced by a successor Agreement; and

**WHEREAS**, the City and the Union intended to engage in good-faith collective bargaining negotiations for the purpose of agreeing upon a new contract for the fiscal year September 1, 2010 through August 31, 2011; and

**WHEREAS**, the City and the Union desire to come together to mutually address the budget shortfalls facing the City for FY 2011, and because of that the City and the Union find that entering into this Memorandum of Understanding to formally extend the present terms and conditions and rates of pay of the present agreement is to the mutual benefit of the parties.

**NOW, THEREFORE** the City and the Union hereby mutually agree as follows:

1. The term of the Articles of Agreement dated March 18, 2008 ("present agreement") is hereby extended to August 31, 2011, and shall be automatically extended from year to year until replaced by a successor agreement.
2. The present agreement shall remain in full force and effect through August 31, 2011, to include the amendments contained in the Memoranda of Understanding dated August 25, 2009 and March 9, 2010 by and between the City and the Union, and the applicable pay scale for the period of this extension is the January 3, 2010 pay scales as set forth in Appendix A. No other alternation or amendment shall apply, except as may be reduced to writing and approved and agreed to by the parties.

3. The City and the Union agree that good faith negotiations for the purposes of establishing a new CBA between the City and the Union will begin no later than November 18, 2010.

The City and the Union agree, by executing this Extension Agreement, the Articles of Agreement dated March 18, 2008 shall remain in full force and effect through August 31, 2011, as provided herein.

**THE CITY OF EL PASO**

\_\_\_\_\_  
Joyce Wilson, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Elaine S. Hengen  
Senior Assistant City Attorney

**LOCAL 51, INTERNATIONAL  
ASSOCIATION OF FIREFIGHTERS, INC.**

By \_\_\_\_\_  
Joseph Tellez, President

ATTEST:

\_\_\_\_\_  
Emeral Hayden, Secretary