

RESOLUTION NO. 11627

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ORANGE ESTABLISHING A SIDE
LETTER AGREEMENT BETWEEN THE CITY
OF ORANGE AND THE ORANGE CITY
FIREFIGHTERS, INC. LOCAL 2384 OF THE
INTERNATIONAL UNION OF FIRE FIGHTERS
AFL-CIO, EFFECTIVE JULY 1, 2020 THROUGH
AND INCLUDING JUNE 30, 2026**

WHEREAS, the City of Orange, hereinafter “City”, and the Orange City Firefighters, Inc. Local 2384 of the International Union of Fire Fighters AFL-CIO, hereinafter “Union”, are covered by the terms of a Memorandum of Understanding (MOU), adopted via Resolution No. 11521; and

WHEREAS, the City recently became aware that the California Public Employees' Retirement System (CalPERS) reviewed the Memorandum of Understanding (MOU) for the Orange City Firefighters, Inc. Local 2384 of the International Association of Fire Fighters, AFL-CIO as part of a compensation review for an employee who filed for retirement; and

WHEREAS, as part of this analysis, CalPERS determined that compensation for employees routinely and consistently assigned to investigate causes of destructive burning had been reported as Crime Scene Investigator premium based on the current MOU rather than Fire Investigator premium, pursuant to California Code of Regulations (CCR) 571(a)(4) and 571.1(a)(3); and

WHEREAS, in order to rectify this matter, a Side Letter Agreement is required with CalPERS recommends applying a five (5) year look-back period as a precaution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange that the attached Side Letter Agreement is approved and incorporated by reference as Exhibit A.

ADOPTED this ____ day of _____, 2025

Daniel R. Slater, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

APPROVED AS TO FORM:

Wayne W. Winthers
Interim City Attorney, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the ____ day of _____ 2025 by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Pamela Coleman, City Clerk, City of Orange

Attachment: Exhibit A

EXHIBIT A

**A SIDE LETTER AGREEMENT
BETWEEN THE CITY OF ORANGE AND
THE ORANGE CITY FIREFIGHTERS, INC. LOCAL 2384 OF THE
INTERNATIONAL UNION OF FIRE FIGHTERS AFL-CIO
EFFECTIVE JULY 1, 2020 THROUGH AND INCLUDING JUNE 30, 2026**

This Side Letter Agreement is entered into by and between the City of Orange and the Orange City Firefighters, Inc. Local 2384 of the International Union of Fire Fighters AFL-CIO.

Recitals

A. The City of Orange, hereinafter “City”, and the Orange City Firefighters, Inc. Local 2384 of the International Union of Fire Fighters AFL-CIO, hereinafter “Union”, hereby enter into this Side Letter Agreement with an effective date of July 1, 2020.

B. All references to the “MOU” in this Side Letter Agreement shall be to that Memorandum of Understanding by and between the City and the Union adopted by City Council Resolution No. 11521, or as amended. Except as to those provisions which expressly addressed by this Side Letter Agreement, the terms and conditions of the MOU remain operative.

Agreement

1. The Salaries provision (MOU Article III, Section 14) is hereby modified in its entirety as follows:

SECTION 14. FIRE INVESTIGATOR PREMIUM. The Fire Inspector/Investigator assigned to perform duties as Fire Investigator shall receive two hundred fifty dollars (\$250.00) per month during the period of such assignment. The Fire Inspector/Investigator is assigned based on operation need by the Fire Chief or duly authorized designee. This form of pay, also referred to as “Fire Investigator Premium”, shall be reported to CalPERS as special compensation, and is therefore compensation earnable for Classic Members pursuant to CalPERS Regulations, Section 571(a)(4), and pensionable compensation for PEPRAs Members pursuant to CalPERS Regulations, Section 571.1(a)(3). However, it is ultimately CalPERS who determines whether any form of pay is reportable special compensation.

CITY OF ORANGE

**ORANGE CITY FIREFIGHTERS INC.,
LOCAL 2384 OF THE INTERNATIONAL
ASSOCIATION OF FIRE FIGHTERS,
AFL-CIO**

Dated: _____

Dated: _____

By: _____
Monica Espinoza, Human Resources Director

By: _____
Miguel Gonzalez, President

APPROVED AS TO FORM:

Wayne W. Winthers
Interim City Attorney