

TENTH SIDE LETTER AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA ANA
AND
THE SANTA ANA POLICE OFFICERS ASSOCIATION
FOR FISCAL YEARS 2004 - 11

The City of Santa Ana (City) and the Police Officers Association (SAPOA) agree that there is an inadvertent omission in the contract language recently negotiated between the City and the SAPOA contained in the "One Year Contract Extension" for Fiscal Year 2010-11. The City and the SAPOA hereby desire to correct that omission by adding the following paragraph to Article IX, Section 9.3:

"The following terms and conditions apply to the Cash Option set forth above for the period of time beginning July 1, 2009, and ending June 30, 2013. Effective July 1, 2013, the cash out limits set forth in subparagraph "B" below shall no longer apply and the Cash Option cash out limits shall revert back to that set forth above".

The revised Article IX, Section 9.3 shall read as follows:

9.3 Cash Option.

Employees covered by this Agreement shall be given an option twice per calendar year to receive cash compensation ("cash out") computed on a straight time basis in lieu of exchange for eighty (80) hours of their annual holiday leave benefits set forth in Section 9.2 above. Specifically, employees may ~~begin to~~ cash out up to 40 hours ~~beginning on April 1, 2005 ending April 30, 2005 and up to 40 hours beginning on November 1, 2005 ending November 30, 2005~~ of holiday leave benefits in April of each calendar year and an additional 40 hours of holiday leave benefits in November of each calendar year. An employee that does not cash out holiday leave benefits in April may cash out a maximum of 80 hours of holiday leave benefits in November. ~~If, however, an employee did not cash out any of their holiday time in April, they may cash out up to 80 hours in November.~~

Such option may be eliminated or modified to the extent it is construed as overtime under Department of Labor guidelines implementing provisions of the Fair Labor Standards Act (FLSA).

The following terms and conditions apply to the Cash Option set forth above for the period of time beginning July 1, 2009 and ending June 30, 2013. Effective July 1,