

**MEMORANDUM**

**TO:** Board of Trustees

**FROM:** Bobby Magee  
General Manager

**SUBJECT:** Review, Discuss and Approve Letter of Engagement for Labor and Employment Legal Services with Kamer Zuker Abbott for Bargaining Unit Negotiation Purposes.

**DATE:** April 10, 2024

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**I. RECOMMENDATIONS**

1. The Board review, discuss and approve the Letter of Engagement for labor and employment legal services with Kamer Zuker Abbott for the purposes of bargaining unit negotiations with the Operating Engineers Local 3 for the Non-Supervisory, Supervisory, and Superintendent contracts expiring on June 30, 2024; and,
2. Direct the Chair of the Board to review and approve the final rate schedule as identified in the Letter of Engagement; and,
3. Direct the General Manager to sign the agreement upon final approval by the Chair of the Board.

**II. DISTRICT STRATEGIC PLAN**

This action supports Long Range Principle #4, Workforce; *“Attract, maintain and retain a highly qualified, motivated and productive workforce to meet the needs of district venues, facilities, services and operations.”*

**III. BACKGROUND**

On August 9, 2023, following a public hearing (Item G.1), the Board of Trustees unanimously agreed to extend the current contract periods for the Non-Supervisory, Supervisory and Superintendent contracts. This action extended the contract period from July 1, 2023 to June 30, 2024.

On December 28, 2023, the Business Agent for the represented employees notified the District of the Union’s intention to enter into negotiations on a successor agreement commencing with Fiscal Year 2024/25. The Union advised

the District of its intention to present proposals concerning wages, hours of work, plus other terms and conditions of employment.

As a matter of best practice, it is recommended that the District engage with legal counsel who specializes in labor negotiations and employment law for the purposes of assisting staff with negotiations. Staff engaged with its current attorneys from Best, Best, and Krieger and were given a referral to Scott Abbott of Kamer, Zucker, and Abbott – Attorneys at Law for assistance with bargaining unit negotiations. It is recommended that the Board authorize a contract directly with Mr. Abbott.

#### **IV. FINANCIAL IMPACT AND BUDGET**

If approved, and before the Letter of Engagement is signed, staff will ensure the language is updated to note that this agreement will not exceed \$50,000 without further approval by the Board of Trustees.

#### **V. ALTERNATIVES**

Direct staff to handle all negotiations using in-house staff.

#### **VI. ATTACHMENTS**