

# CITY OF LONG BEACH

DEPARTMENT OF HUMAN RESOURCES

# R-27

333 West Ocean Boulevard 13<sup>th</sup> Floor • Long Beach, CA 90802

December 6, 2011

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt the attached Resolution approving the Amendments to the 2007-2012 Memorandum of Understanding with the Long Beach City Attorneys Association and the Long Beach City Prosecutors Association;

Adopt the attached Resolution for paying and reporting the value of the employer paid member contributions to the California Public Employees Retirement System employees represented by the City Attorneys Association; and,

Adopt the attached Resolution for paying and reporting the value of the employer paid member contributions to the California Public Employees Retirement System for employees represented by the City Prosecutors Association. (Citywide)

## DISCUSSION

City management representatives and representatives of the Long Beach City Attorneys Association (LBCAA) and the Long Beach City Prosecutors Association (LBCPA) have had a number of meet and confer sessions regarding the financial impacts of the Fiscal Year 2012 (FY12) Budget. Meetings have been concluded and amendments to the Memoranda of Understanding (MOU) have been jointly signed by City representatives and representatives of the Long Beach City Attorneys Association and the Long Beach City Prosecutors Association.

The major provisions of the Amendments are agreement to an additional four percent (4%) CalPERS pick-up in FY12 for employees hired prior to February 26, 2011 and represented by the two Associations. Employees hired on or after February 26, 2011 already pay the full eight percent (8%) individual employee contribution.

Pursuant to the Amendments and pending approval of the Resolutions, effective November 19, 2011, employees represented by the LBCAA and the LBCPA hired prior to February 26, 2011, shall contribute an amount equal to eight percent (8%) of their annual salary towards their individual employee contribution.

In order for the City to make changes to the employer paid member contribution, it is necessary for the City Council to adopt the attached Resolutions as prepared by the City Attorney.

This matter was reviewed by Deputy City Attorney Christina L. Checel and Budget Management Officer Victoria Bell on October 25, 2011.

TIMING CONSIDERATIONS

City Council action is requested on December 6, 2011 to ensure implementation of the MOU Amendment provisions and that CalPERS receives these Resolutions for processing consistent with the effective date of the action.

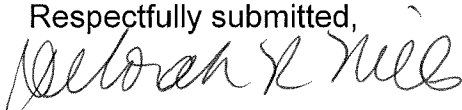
FISCAL IMPACT

These amendments with the LBCAA and LBCPA will save the City's General Fund an estimated \$49,000 in FY12 and \$144,000 in FY13. The FY13 savings of \$144,000 is expected to continue annually thereafter. Over the term, the total savings is estimated to be \$480,000. Through FY22, the amendments are projected to save the City's General Fund at least \$1.5 million. This does not include the long-term savings related to the changes to the pension plan for new LBCAA and LBCPA members.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



DEBORAH R. MILLS  
DIRECTOR OF HUMAN RESOURCES

DRM:nb  
R:\Executive Assistant Files\HR Council Letters\12-06-11 ccl - LBCAA-LBCPA MOU Amendment-Council Letter.doc

Attachments - Resolutions

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

1 RESOLUTION NO.

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH RETRACTING IMPLEMENTATION  
5 OF GOVERNMENT CODE SECTION 20636(c)(4)  
6 PURSUANT TO SECTION 20691 AS TO PAYING AND  
7 REPORTING THE VALUE OF EMPLOYER PAID MEMBER  
8 CONTRIBUTIONS FOR EMPLOYEES REPRESENTED BY  
9 THE LONG BEACH CITY ATTORNEYS ASSOCIATION TO  
10 THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT  
11 SYSTEM (CalPERS)

12  
13 WHEREAS, the City of Long Beach has the authority to implement  
14 Government Code Section 20636(c)(4) pursuant to Section 20691; and

15 WHEREAS, the City of Long Beach has a written labor policy or agreement  
16 which specifically provides for the normal member contributions to be paid by the  
17 employer, and reported as special compensation; and

18 WHEREAS, the City has engaged in negotiations with the Long Beach City  
19 Attorneys Association and the parties have agreed to amend the Memorandum of  
20 Understanding with respect to payment and reporting of the value of employer paid  
21 member contributions (EPMC); and

22 WHEREAS, members of the City Attorneys Association have agreed to pay  
23 the full member contribution; and

24 WHEREAS, one of the steps in the procedures to implement this change is  
25 the adoption by the governing body of the City of Long Beach of a resolution giving notice  
26 of its intention to cease paying and reporting the value of employer paid member  
27 contributions (EPMC) as compensation for all members of the group or class as identified  
28 herein.

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
2 follows:

3 Section 1. Effective as of November 19, 2011, the governing body of the  
4 City of Long Beach shall retract its previous implementation of Government Code Section  
5 20636(c)(4) pursuant to Section 20691 as to paying and reporting the value of Employer  
6 Paid Member Contributions (EPMC) for miscellaneous employees represented by the  
7 Long Beach City Attorneys Association. In so doing, the City will pay zero percent (0%)  
8 and report the same percent (0%) and the member will pay one hundred percent (100%)  
9 of the normal member contribution which is currently eight percent (8%) of the member's  
10 compensation.

11 Section 2. This resolution shall take effect immediately upon its adoption  
12 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

13 I hereby certify that the foregoing resolution was adopted by the City  
14 Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2011, by the  
15 following vote:

17 Ayes: Councilmembers: \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_

21 Noes: Councilmembers: \_\_\_\_\_  
22 \_\_\_\_\_

23 Absent: Councilmembers: \_\_\_\_\_  
24 \_\_\_\_\_

27 \_\_\_\_\_  
28 City Clerk