

CITY OF LONG BEACH **NB-19**

DEPARTMENT OF HUMAN RESOURCES

333 West Ocean Boulevard 13th Floor • Long Beach, CA 90802

DEBORAH R. MILLS
DIRECTOR

September 9, 2014

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. (Citywide)

DISCUSSION

The Long Beach City Attorneys Association (LBCAA) and the Long Beach City Prosecutors Association (LBCPA) were the first employee organizations to come forward and restructure their Memorandum of Understanding (MOU) to address pension reform. Although the other employee organizations that had MOU's in place eventually came forward and restructured their MOU's to address pension reform, the LBCAA and LBCPA employee organizations were the only employee organizations that actually gave up a 4% raise and still picked-up their entire share of the PERS contribution.

It is requested the City Council adopt the attached resolution amending the respective MOU's to restore the 4% to the LBCAA and LBCPA thus re-establishing the internal equity among the employee organizations.

This matter was reviewed by Deputy City Attorney Gary Anderson and Budget Management Officer Victoria Bell on September 3, 2014.

TIMING CONSIDERATIONS

City Council action is requested on September 9, 2014 to ensure the October 1, 2014 implementation date of the attached Resolution and MOU Amendments.

FISCAL IMPACT

The cost of the amendments with the LBCAA and LBCPA is estimated at \$126,000 for the General Fund and \$115,000 for other funds, for a total of \$241,000 annually, which is included in the FY 15 Adopted Budget. This annual cost is expected to be similar in future years.

HONORABLE MAYOR AND CITY COUNCIL

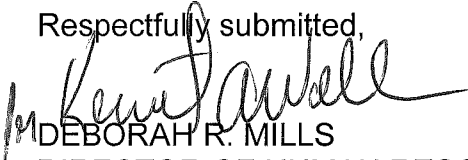
September 9, 2014

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


DEBORAH R. MILLS
DIRECTOR OF HUMAN RESOURCES

DRM:KW:mm
R:\Administration\CITY COUNCIL LETTERS\2014\09-09-14 ccl - LBCAA-LBCPA MOU Amendment.docx

Attachment - RESOLUTION

- EXHIBIT A - Fourth Amendment to the MOU - City Attorney
- EXHIBIT B - Fourth Amendment to the MOU - City Prosecutor

APPROVED:



PATRICK H. WEST
CITY MANAGER

1 RESOLUTION NO.
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH APPROVING AMENDMENTS TO
5 THE 2007-2012 MEMORANDA OF UNDERSTANDING WITH
6 THE LONG BEACH CITY ATTORNEYS ASSOCIATION AND
7 THE LONG BEACH CITY PROSECUTORS ASSOCIATION;
8 AND AUTHORIZING AND DIRECTING THE CITY
9 MANAGER TO EXECUTE SUCH AMENDMENTS; AND
10 DIRECTING CERTAIN IMPLEMENTING AND RELATED
11 ACTIONS

12
13 WHEREAS, on the date of adoption of this resolution, the City Council has
14 considered an amendment to the 2007-2012 Memorandum of Understanding with the
15 Long Beach City Attorneys Association and an amendment to the 2007-2012
16 Memorandum of Understanding with the Long Beach City Prosecutors Association; and

17 WHEREAS, it is the desire of the City Council to approve such
18 amendments and to provide for their implementation.

19 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
20 follows:

21 Section 1. That the amendments to Memorandum of Understanding
22 between the City of Long Beach and the Long Beach City Attorneys Association and the
23 Memorandum of Understanding with the Long Beach City Prosecutors Association, which
24 are hereby incorporated by reference in this resolution as Exhibit "A" and "B",
25 respectively, are hereby approved, and the City Manager is hereby authorized to execute
26 said amendments on behalf of the City and to implement, pursuant to Section 503 of the
27 Long Beach City Charter, all matters affecting compensation contained in and prescribed
28 by the amendments as of the operative date of this resolution.

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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Section 2. The City Manager is also authorized and directed to cause the preparation of amendments to the Long Beach Salary Resolution, if necessary, and to such other documents as may be necessary, to conform such resolution and documents to the provisions of the memoranda and this resolution, and to further cause such conforming amendments to be brought before the City Council and such Boards and Commissions as may be required by law to act upon them, and the City Attorney is requested to cooperate fully with the City Manager in order to cause the required documents to be prepared as required by law and brought before the appropriate bodies.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2014, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

FOURTH AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF LONG BEACH AND
THE LONG BEACH CITY ATTORNEYS ASSOCIATION

The City of Long Beach and the Long Beach City Attorneys Association (LBCAA) agree to amend the October 1, 2007 to September 30, 2012 Memorandum of Understanding as follows:

All existing terms and conditions set forth in that agreement shall remain unchanged for the term of the extended agreement, except as modified below.

1) **Article Two: Section I – Compensation**

The Salary Resolution will be amended to provide for the following salary increases:

October 1, 2014 - 4%


2) **Additionally**

The City and LBCAA agree to a reopener on these topics if the City comes to new terms with the IAM prior to completion of the full term:

- a. The Fair Labor Standards Act (FLSA) application
- b. Sick Leave Conversion

In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this 4 day of September, 2014.

FOR THE LONG BEACH CITY ATTORNEYS ASSOCIATION




Kendra Carney, President
Long Beach City Attorneys Association

FOR THE CITY OF LONG BEACH:



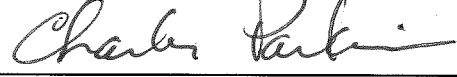
Patrick H. West, City Manager



Ken Walker
Manager, Labor Relations



Deborah R. Mills
Director of Human Resources



Charles Parkin, City Attorney

APPROVED AS TO FORM:



Charles Parkin, City Attorney

FOURTH AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF LONG BEACH AND
THE LONG BEACH CITY PROSECUTORS ASSOCIATION

The City of Long Beach and the Long Beach City Prosecutors Association (LBCPA) agree to amend the October 1, 2007 to September 30, 2012 Memorandum of Understanding as follows:

All existing terms and conditions set forth in that agreement shall remain unchanged for the term of the extended agreement, except as modified below.

1) **Article Two: Section I – Compensation**

The Salary Resolution will be amended to provide for the following salary increases:
October 1, 2014 - 4%

2) **Additionally**

The City and LBCPA agree to a reopener on these topics if the City comes to new terms with the IAM prior to completion of the full term:

- a. The Fair Labor Standards Act (FLSA) application
- b. Sick Leave Conversion

In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this 4th day of September, 2014.

FOR THE LONG BEACH CITY PROSECUTORS ASSOCIATION



Chad M. Salzman, President
Long Beach City Prosecutors Association

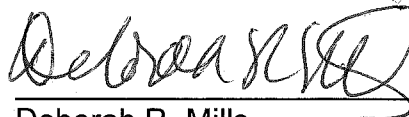
FOR THE CITY OF LONG BEACH:



Patrick H. West, City Manager



Ken Walker
Manager, Labor Relations



Deborah R. Mills
Director of Human Resources



Douglas P. Haubert, City Prosecutor

APPROVED AS TO FORM:


Charles Parkin, City Attorney



City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

Date: September 5, 2014
To: Larry Herrera, City Clerk
From: Patrick H. West, City Manager
Subject: Request to Add Agenda Item to Council Agenda of September 9, 2014

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

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. (Citywide)

Council District	Authorizing Councilmember	Signed by
2	SUSAN LOWENTHAL	<i>Susan Lowenthal</i>
3	LUZIE PRICE	<i>Luzie Price</i>
5	Stacy Mungo	<i>Stacy Mungo</i>

Attachment: Staff Report dated September 9, 2014

CC: Office of the Mayor