

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

RESOLUTION NO. RES-11-0018

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH APPROVING AMENDMENTS TO  
2008-2012 MEMORANDA OF UNDERSTANDING WITH THE  
LONG BEACH CITY ATTORNEYS ASSOCIATION; AND  
2008-2012 MEMORANDA OF UNDERSTANDING WITH THE  
LONG BEACH CITY PROSECUTORS ASSOCIATION; AND  
AUTHORIZING AND DIRECTING THE CITY MANAGER TO  
EXECUTE SUCH MEMORANDA; AND DIRECTING  
CERTAIN IMPLEMENTING AND RELATED ACTIONS

WHEREAS, on the date of this resolution, the City Council has considered  
Amendments to 2008-2012 Memoranda of Understanding with the Long Beach City  
Attorneys Association and 2008-2012 Memoranda of Understanding with the Long Beach  
City Prosecutors Association; and

WHEREAS, it is the desire of the City Council to approve such  
Amendments and to provide for their implementation;

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

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

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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.

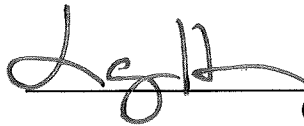
Section 3. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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

Ayes: Councilmembers: Garcia, Lowenthal, DeLong, O'Donnell,  
Schipske, Andrews, Johnson, Gabelich,  
Neal.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

  
\_\_\_\_\_  
City Clerk

SECOND 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 and the first amendment shall remain unchanged for the term of the agreement, except as modified below.

The retirement section of the LBCAA MOU (8. Retirement) will be amended to include the following:

1. Effective as soon as practicable, the employee shall contribute an amount equal to four percent (4%) of his/her annual salary towards his/her individual employee contribution.
2. A newly hired City employee shall contribute from their annual salary their full employee contribution to CalPERS upon approval by resolution of the City Council.
3. Contingent upon agreement by all other Miscellaneous associations, the LBCAA agrees to implement a new retirement formula of 2.0% @ 60 for those employees hired after the CalPERS contract has been amended. These employees shall contribute from their annual salary their full employee contribution to CalPERS. The employee's final compensation will be calculated based on a three-year average.

In the event that the other Miscellaneous associations all agree to a new retirement formula other than 2.0% @ 60, then that formula shall also apply to the LBCAA and will supersede the 2.0% @ 60 formula.

In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this \_\_\_\_\_ day of January, 2011.

Exhibit "A"

FOR THE LONG BEACH CITY ATTORNEYS ASSOCIATION

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Ted Zinger, President  
Long Beach City Attorneys Association

FOR THE CITY OF LONG BEACH:

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Patrick H. West, City Manager

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Deborah R. Mills  
Director of Human Resources

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Ken Walker  
Manager, Personnel Operations

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Robert E. Shannon, City Attorney

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Tara Brewer  
Personnel Analyst III

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Nani Blyleven  
Administrative Analyst III

APPROVED AS TO FORM:

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Robert E. Shannon, City Attorney

SECOND 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 and the first amendment shall remain unchanged for the term of the agreement, except as modified below.

The retirement section of the LBCPA MOU (8. Retirement) will be amended to include the following:

1. Effective as soon as practicable, the employee shall contribute an amount equal to four percent (4%) of his/her annual salary towards his/her individual employee contribution.
2. A newly hired City employee shall contribute from their annual salary their full employee contribution to CalPERS upon approval by resolution of the City Council.
3. Contingent upon agreement by all other Miscellaneous associations, the LBCPA agrees to implement a new retirement formula of 2.0% @ 60 for those employees hired after the CalPERS contract has been amended. These employees shall contribute from their annual salary their full employee contribution to CalPERS. The employee's final compensation will be calculated based on a three-year average.

In the event that the other Miscellaneous associations all agree to a new retirement formula other than 2.0% @ 60, then that formula shall also apply to the LBCPA and will supersede the 2.0% @ 60 formula.

In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this \_\_\_\_\_ day of December, 2010.

Exhibit "B"

FOR THE LONG BEACH CITY PROSECUTORS ASSOCIATION

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Calvin Ray George, President  
Long Beach City Prosecutors Association

FOR THE CITY OF LONG BEACH:

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Patrick H. West, City Manager

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Deborah R. Mills  
Director of Human Resources

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Ken Walker  
Manager, Personnel Operations

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Douglas Haubert, City Prosecutor

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Tara Brewer  
Personnel Analyst III

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Nani Blyleven  
Administrative Analyst III

APPROVED AS TO FORM:

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Robert E. Shannon, City Attorney