

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

1 RESOLUTION NO. RES-11-0110  
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH APPROVING AN AMENDMENT TO  
5 THE 2009-2014 MEMORANDUM OF UNDERSTANDING  
6 WITH THE LONG BEACH POLICE OFFICERS'  
7 ASSOCIATION; AND AUTHORIZING AND DIRECTING THE  
8 CITY MANAGER TO EXECUTE SUCH AMENDMENT; AND  
9 DIRECTING CERTAIN IMPLEMENTING AND RELATED  
10 ACTIONS  
11

12 WHEREAS, on the date of this resolution, the City Council has considered  
13 an Amendment to the 2009-2014 Memorandum of Understanding with the Long Beach  
14 City Police Officers' Association; and

15 WHEREAS, it is the desire of the City Council to approve such Amendment  
16 and to provide for its implementation;

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

19 Section 1. That the Amendment to 2009-2014 Memorandum of  
20 Understanding between the City of Long Beach and the Long Beach Police Officer's  
21 Association, which is hereby incorporated by reference in this resolution as Exhibit "A", is  
22 hereby approved, and the City Manager is hereby authorized to execute said Amendment  
23 to Memorandum on behalf of the City and to implement, pursuant to Section 503 of the  
24 Long Beach City Charter, all matters affecting compensation contained in and prescribed  
25 by the Amendment to Memorandum as of the operative date of this resolution.

26 Section 2. The City Manager is also authorized and directed to cause the  
27 preparation of amendments to the Long Beach Salary Resolution, if necessary, and to  
28 such other documents as may be necessary, to conform such resolution and documents

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

1 to the provisions of the Memorandum and this resolution, and to further cause such  
2 conforming amendments to be brought before the City Council and such Boards and  
3 Commissions as may be required by law to act upon them, and the City Attorney is  
4 requested to cooperate fully with the City Manager in order to cause the required  
5 documents to be prepared as required by law and brought before the appropriate bodies.

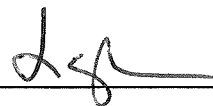
6 Section 3. This resolution shall take effect immediately upon its adoption  
7 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

8 I hereby certify that the foregoing resolution was adopted by the City  
9 Council of the City of Long Beach at its meeting of September 20, 2011, by the  
10 following vote:

11 Ayes: Councilmembers: Garcia, Lowenthal, DeLong, O'Donnell,  
12 Johnson, Gabelich, Neal.

13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 Noes: Councilmembers: None.

16 \_\_\_\_\_  
17 Absent: Councilmembers: Schipske, Andrews.

18 \_\_\_\_\_  
19 \_\_\_\_\_  
20   
21 \_\_\_\_\_  
22 City Clerk

23  
24  
25  
26  
27  
28

Amendment to the  
October 1, 2009 – September 30, 2014  
Memorandum of Understanding between the Long Beach Police Officers  
Association and the City of Long Beach

Amend the following Articles and Sections of the Memorandum of Understanding between the City of Long Beach and the Long Beach Police Officers Association covering the period October 1, 2009 through September 30, 2014:

Amend Article One, Section VI – City Obligations and Responsibilities, D. Layoffs/Furloughs by adding:

Recognizing that during the life of this agreement the POA membership compensation will not reach the level it would have been had the September 30, 2009 median adjustment been awarded, and in consideration of the POA's willingness to help address the City's financial challenges, POA members will not be subject to mandatory layoffs in FY 12.

Amend Article Two, Section I – Listing of Positions and Rates of Pay 2009-2014 to read:

Section I – Listing of Positions and Rates of Pay 2009-2016

The hourly, bi-weekly and equivalent monthly salaries for the classifications represented by the Association for the period of October 1, 2009 through September 30, 2016 shall be in accordance with the salary schedule set forth in Appendix A.

The parties agree to re-open the agreement on or after October 1 of each fiscal year during the term of the extension (FY 15 and FY 16) with thirty (30) days notice by either party solely for the purpose of discussing wages and state law changes. Changes will only be made by mutual agreement of both parties.

Amend Article Two, Section II, VII, VIII, X.C paragraph one, by deleting the last sentence and adding:

The above skill pay(s) will increase as follows:

October 1, 2012	3%
October 1, 2013	3%
April 1, 2014	3%

Effective April 2, 2014, the flat rate amount of the above skill pay provisions effective on April 1, 2014 will be converted to a percentage of top step Police Officer base hourly rate.

Amend Article Two, Section XI – Overtime by adding:

Effective October 1, 2011, the City agrees to temporarily increasing the maximum amount allowed in an employee's overtime bank from one hundred and twenty (120) hours to one hundred and forty (140) hours. The Department will review this increase after one year.

Amend Article Five, Section I – Retirement Provisions, A. by adding:

Effective October 1, 2011, or shortly thereafter, the City shall contribute to PERS on behalf of each bargaining unit member covered by this agreement, zero percent (0%) of his or her nine percent (9%) individual employee contribution.

Amend Article Five, Section I – Retirement Provisions, B. Post Retirement Health Insurance Account Supplement by adding the following sentence:

The Post Retirement Health Insurance Account Supplement plan will expire close of day December 31, 2011. Post Retirement Health Insurance Account plan calculations for those retiring between October 1, 2011 and December 31, 2011 will be based on compensation as of September 30, 2011.

Amend Article Five, Section I – Retirement Provisions, C. Pension Formula Change by replacing the current language with the following language:

The LBPOA agrees to implement a new retirement formula of 2.0% @ 50 for those employees hired on or after October 1, 2011 or when the CalPERS contract has been amended, whichever is later. These employees shall contribute from their annual salary their full employee contribution to CalPERS. Final compensation for employees hired on or after October 1, 2011 or when the CalPERS contract has been amended, whichever is later, will be calculated based on a three-year average.

Amend Article Five, Section I – Retirement Provisions, D. Report the Value of Employer-Paid Member Contribution (EPMC) – Special Compensation by adding the following sentence:

Effective October 1, 2011, or shortly thereafter, the City will no longer designate EPMC as compensation earnable and report it as such to PERS for members of the bargaining unit.

Amend Article Five, Section I – Retirement Provisions, by adding:

F. City Payment to Safety Unfunded Liability

The City agrees to make a one-time payment of one million dollars to CALPERS as an offset of the City's CALPERS unfunded liability for Safety at any time before the end of FY 14. It is understood that this may be used to mitigate layoffs.

Amend Article Nine, Section III – Term, by changing the second sentence to read:

This MOU and all its rights, obligations, terms, and provisions shall expire and otherwise be fully terminated at 2400 hours on September 30, 2016.

Amend Appendix A, Section III to read:

Section III- General Salary Increases

The Salary Resolution will be amended to provide the following salary increases for the classifications included in Section I above on the effective dates indicated :

October 1, 2010

2.00%	Police Officer
1.25%	Sergeant
2.00%	Lieutenant

October 1, 2011

8.00%	All Ranks
-------	-----------

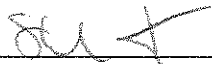
April 1, 2014

1%	Police Officer
1%	Lieutenant

All terms and conditions of the October 1, 2009 to September 30, 2014 Memorandum of Understanding will remain in full force and effect through and including September 30, 2016 unless and except as amended by mutual agreement.

In witness thereof, the parties hereto have caused this Amendment to the Memorandum of Understanding to be executed this 20 day of September, 2011.

FOR THE LONG BEACH POLICE OFFICERS ASSOCIATION:

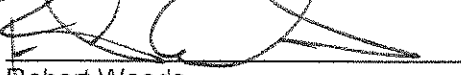
  
\_\_\_\_\_  
Stephen E. James, President

  
\_\_\_\_\_  
James Foster, Vice President

  
\_\_\_\_\_  
Douglas Bacon


  
\_\_\_\_\_  
Jack Dial

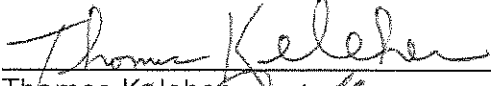
  
\_\_\_\_\_  
Steven Lauricella


  
\_\_\_\_\_  
Robert Woods

  
\_\_\_\_\_  
Ron Trott, Secretary

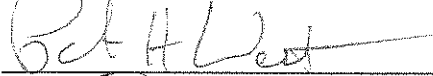
  
\_\_\_\_\_  
Philip Cloughesy, Treasurer

  
\_\_\_\_\_  
Brian Bell

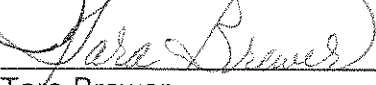
  
\_\_\_\_\_  
Thomas Keleher


  
\_\_\_\_\_  
Patrick O'Dowd

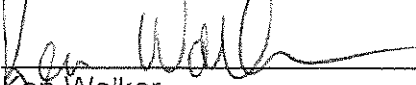
FOR THE CITY OF LONG BEACH:

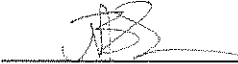
  
\_\_\_\_\_  
Patrick H. West  
City Manager

  
\_\_\_\_\_  
James McDonnell  
Chief of Police

  
\_\_\_\_\_  
Tara Brewer  
Personnel Analyst

  
\_\_\_\_\_  
Deborah R. Mills  
Director of Human Resources

  
\_\_\_\_\_  
Ken Walker  
Manager – Personnel Operations

  
\_\_\_\_\_  
Nani Blyleven  
Administrative Analyst

APPROVED AS TO FORM AND RETURNED

By November 10, 20 11

ROBERT E. SHANNON, City Attorney

By   
CHRISTINA L. CHECEL  
DEPUTY CITY ATTORNEY