



CITY OF LONG BEACH

DEPARTMENT OF HUMAN RESOURCES

R-19

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

February 15, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

1. Adopt the attached Resolution approving the second Amendments to the 2008-2012 Memorandum of Understanding with the Long Beach City Attorneys Association and the 2008-2012 Memorandum of Understanding with the Long Beach City Prosecutors Association;
2. 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 Attorneys Association; and,
3. 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 2011 (FY11) budget. Meetings have been concluded and amendments to the Memorandum 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 two percent CalPERS pick-up in FY11 by employees; agreement to full CalPERS pick-up for new City employees; agreement to a lower retirement formula of 2.0% at 60; and three-year average final compensation for new employees represented by the two Associations.

Pursuant to the Amendments and pending approval of the Resolutions, effective February 26, 2011, employees represented by the LBCAA and the LBCPA shall pay an amount equal to four percent of their annual salary towards their individual employee contribution. The Resolutions also provide that new City employees represented by these Associations, hired on or after February 26, 2011, shall pay 100 percent of the member contribution, which, at this time, is eight percent.

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 January 28, 2011 and Budget Management Officer Victoria Bell on January 31, 2011.

TIMING CONSIDERATIONS

City Council action is requested on February 15, 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

The existing MOUs provide for a general salary adjustment of two percent and an equivalent two percent value for equity adjustments in FY11 with an estimated cost of \$131,370 to the General Fund and \$230,655 to all funds. Over the terms of the agreements, the total estimated savings from the additional two percent member contributions is \$166,982 to the General Fund and \$300,828 to all funds.

As new hires join the LBCAA and LBCPA, savings will be generated by those employees paying 100 percent of their member contribution. Future savings to the City will be realized as a result of the lower retirement formula of 2.0% at 60 and three-year average final compensation for new employees in these two Associations, once all Miscellaneous associations agree to a new tier.

There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



DEBORAH R. MILLS
DIRECTOR OF HUMAN RESOURCES

DRM:tb

Attachments: LBCAA MOU
LBCPA MOU
3 Resolutions

APPROVED:



PATRICK H. WEST
CITY MANAGER

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.

FOR THE LONG BEACH CITY ATTORNEYS ASSOCIATION

Ted Zinger, President
Long Beach City Attorneys Association

FOR THE CITY OF LONG BEACH:

Patrick H. West, City Manager

Deborah R. Mills
Director of Human Resources

Ken Walker
Manager, Personnel Operations

Robert E. Shannon, City Attorney

Tara Brewer
Personnel Analyst III

Nani Blyleven
Administrative Analyst III

APPROVED AS TO FORM:

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.

FOR THE LONG BEACH CITY PROSECUTORS ASSOCIATION

Calvin Ray George, President
Long Beach City Prosecutors Association

FOR THE CITY OF LONG BEACH:

Patrick H. West, City Manager

Deborah R. Mills
Director of Human Resources

Ken Walker
Manager, Personnel Operations

Douglas Haubert, City Prosecutor

Tara Brewer
Personnel Analyst III

Nani Blyleven
Administrative Analyst III

APPROVED AS TO FORM:

Robert E. Shannon, City Attorney

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

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RESOLUTION NO.

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.

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, 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 _____, 2011, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk