

FILE COPY

RESOLUTION NO. 16-0040

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL
ADOPTING THE SIDE LETTER AGREEMENT BETWEEN THE CITY OF
MANHATTAN BEACH AND THE CITY OF MANHATTAN BEACH POLICE
OFFICERS' ASSOCIATION

WHEREAS, the Manhattan Beach City Council adopted the City of Manhattan Beach Police Management Association Memorandum of Understanding ("MOU") from January 1, 2016 through December 31, 2018; and

WHEREAS, as part of the MOU, the City of Manhattan Beach ("City") and the City of Manhattan Beach Police Officers' Association ("POA") (collectively "Parties") provides that employees will pay the nine percent member contribution and an additional three percent retirement contribution as cost sharing pursuant to Government Code section 20516(f); and

WHEREAS, the parties desire to update the MOU language to reflect that the City will take necessary steps to amend its CalPERS contract in accordance with Government Code section 20516(a); and

WHEREAS, the parties have conferred in good faith and wish to modify Article 20 "Retirement" paragraph 1, subsection "c"; and paragraph 2, subsection "c"; and

NOW THEREFORE, THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES:

SECTION 1. The City Council hereby approves and adopts the Side Letter Agreement between the City and the City of Manhattan Beach Police Officers' Association.

SECTION 2. The City Manager or his designee shall take the appropriate action to implement the resolution.

SECTION 3. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this 5th day of July, 2016.

Ayes: Howorth, Powell, Burton, Lesser and Mayor D'Errico.
Noes: None.
Abstain: None.
Absent: None.


Tony D'Errico
Mayor City of Manhattan Beach

ATTEST:


Liza Tamura, City Clerk



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office.


City Clerk of the City of
Manhattan Beach, California

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YES 7

SIDE LETTER OF AGREEMENT

BETWEEN

CITY OF MANHATTAN BEACH

AND

THE MANHATTAN BEACH POLICE OFFICERS' ASSOCIATION

This Side Letter of Agreement ("Agreement") between the City of Manhattan Beach ("City") and the Manhattan Beach Police Officers' Association ("POA") (collectively "Parties") is entered into with respect to the following:

WHEREAS, the City and the POA entered into a Memorandum of Understanding ("MOU") with the term of January 1, 2016 through December 31, 2018; and

WHEREAS, the MOU provides that employees will pay the nine percent member contribution and an additional three percent retirement contribution as cost sharing pursuant to Government Code section 20516(f); and

WHEREAS, the parties desire to update the MOU language to reflect that the City will take necessary steps to amend its CalPERS contract in accordance with Government Code section 20516(a); and

WHEREAS, the parties wish to modify Article 20, paragraph 1, subsection "c" and paragraph 2, subsection "c"; and;

NOW THEREFORE, the parties agree as follows:

Article 20, paragraph 1, subsection "c" and paragraph 2, subsection "c" are modified as can be seen with track changes below as follows:

ARTICLE 20: RETIREMENT

1.

- (c) These employees shall pay the nine percent (9%) member contribution. Employees shall also pay an additional three percent (3%) retirement contribution as cost sharing pursuant to Government Code section 20516(f). The parties agree that as soon after May 1, 2016 as administratively possible, the City shall follow steps which are necessary to amend its CalPERS contract to provide cost sharing in accordance with Government Code section 20516(a). In accordance with IRS Code section 414(h)(2), the cost sharing will then be treated as a pre-tax deduction.



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office.

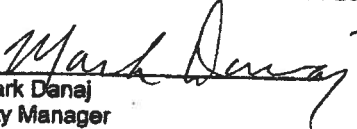
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City Clerk of
the City of
Manhattan
Beach

2.

(c) Employee Paid Retirement Contribution - Such employees shall pay the higher of twelve percent (12%) or one half the total normal cost rate established by CalPERS. Any amount of such employee's retirement contribution which is above the total normal cost rate (i.e., if the half the normal cost rate goes below 12%) shall be paid in accordance with Government Code section 20516(f). The parties agree that as soon after May 1, 2016 as administratively possible, the City shall follow steps which are necessary to amend its CalPERS contract to provide cost sharing in accordance with Government Code section 20516(a). In accordance with IRS Code section 414(h)(2), the cost sharing will then be treated as a pre-tax deduction.

FOR THE CITY OF MANHATTAN BEACH


Mark Danaj
City Manager

7-12-16
Date

FOR THE MANHATTAN BEACH POLICE MANAGEMENT ASSOCIATION


Michael Rosenberger
President, MBPOA

5-3-16
Date



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