

RESOLUTION NO. 2009-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE
MARINE SAFETY OFFICERS ASSOCIATION, BY ADOPTING A SIDE LETTER OF
AGREEMENT REGARDING SUPPLEMENTAL RETIREMENT BENEFIT OPTIONS

WHEREAS, the City Council of Huntington Beach adopted Resolution No. 2007-4 for the purpose of adopting the Memorandum of Understanding (MOU) between the City and the Marine Safety Officers Association (MSOA); and

Subsequent to the adoption of the MOU, the City of Huntington Beach and the MSOA agreed to changes to the MOU that are reflected in a Side Letter of Agreement between the City of Huntington Beach and the MSOA ("Side Letter of Agreement") attached hereto as **Exhibit A** and incorporated herein by this reference. The Side Letter of Agreement pertains to supplemental retirement benefits options,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Huntington Beach as follows:

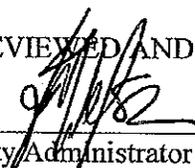
1. The Side Letter of Agreement attached hereto as **Exhibit A** is approved and adopted.
2. The Side Letter of Agreement amends the MOU between the City of Huntington Beach and the MSOA.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 16th day of March, 2009.



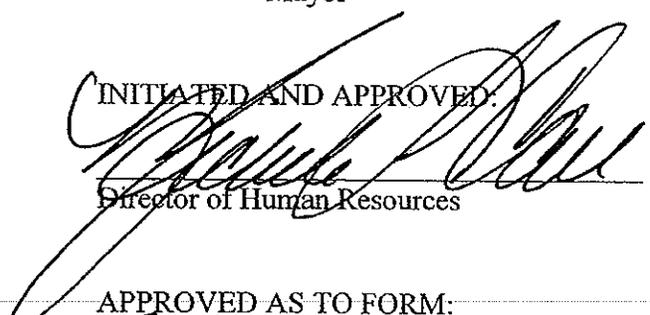
Mayor

REVIEWED AND APPROVED:



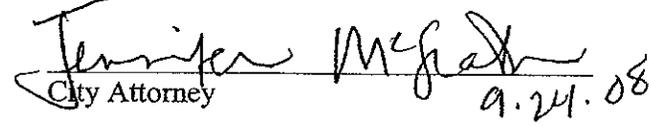
City Administrator

INITIATED AND APPROVED:



Director of Human Resources

APPROVED AS TO FORM:



City Attorney

9.24.08

SIDE LETTER AGREEMENT--MSOA

Representatives of the Huntington Beach Marine Safety Officers' Association ("MSOA") and the City of Huntington Beach ("City") have met and conferred on July 28, 2008 and hereby agree to the following terms related to the Supplemental Retirement Plan pursuant to Article X A.2. of the MOU between MSOA and City effective October 1, 2006.

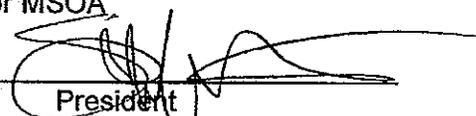
EMPLOYEE SUPPLEMENTAL RETIREMENT PLAN:

Effective June 16, 2008, Article X A.2. of the MOU between MSOA and City is hereby deleted and replaced as follows:

2. Self Funded Supplemental Retirement Benefit

In the event an employee elects Option #1, #2, #2W, #3, #3W or #4 of the Public Employees' Retirement Law, and the employee is a unit employee who was hired before November 2, 1998, the City shall pay the difference between such elected option and the unmodified allowance which the employee would have received for his or her life alone as provided in California Government Code sections 21455, 21456, 21457 and 21548 as said referenced Government Code sections exist as of the date of this agreement. This payment shall be made only to the employee, shall be payable by the City during the life of the employee, and upon that employee's death, the City's obligation shall cease. The method of funding for this benefit shall be at the sole discretion of the City. This benefit is vested for employees hired before November 2, 1998. All unit employees hired on or after November 2, 1998 shall not be eligible for this benefit.

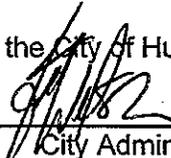
For MSOA



President

Dated: 12/8/08

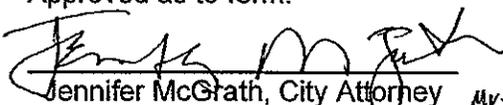
For the City of Huntington Beach



City Administrator

Dated: March 4, 2009

Approved as to form:



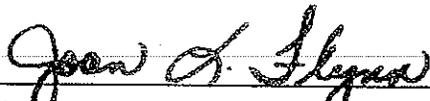
Jennifer McGrath, City Attorney MV-1-6-09

Dated: 1.6.09

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **regular** meeting thereof held on **March 16, 2009** by the following vote:

AYES: Carchio, Dwyer, Green, Bohr, Coerper, Hardy, Hansen
NOES: None
ABSENT: None
ABSTAIN: None



City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California