

RESOLUTION NO. 2009-13

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

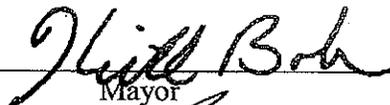
WHEREAS, the City Council of Huntington Beach adopted Resolution No. 2006-43 for the purpose of adopting the Memorandum of Understanding (MOU) between the City and the Huntington Beach Police Management Association (HBPMA); and

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

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

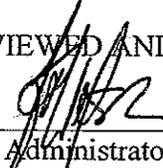
1. The Side Letter of Agreement attached hereto as **Exhibit A** is approved and adopted.
2. The Side Letter of Agreement amends the MOU between the City of Huntington Beach and the HBPMA.

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.



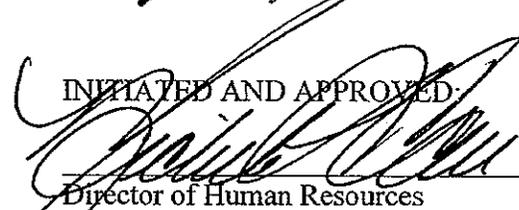
Mayor

REVIEWED AND APPROVED:



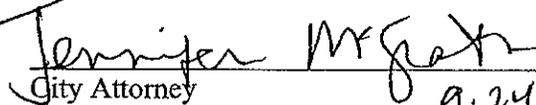
City Administrator

INITIATED AND APPROVED:



Director of Human Resources

APPROVED AS TO FORM:



City Attorney

9.24.08

SIDE LETTER AGREEMENT--HBPMA

Representatives of the Huntington Beach Police Management Association ("HBPMA") 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 III C. and Exhibit E of the MOU between the HBPMA and City effective July 1, 2006.

EMPLOYEE SUPPLEMENTAL RETIREMENT PLAN:

Effective June 16, 2008, Article III C. of the MOU between the HBPMA and the City is hereby deleted and replaced as follows:

The City and the Association agree that employees hired after July 6, 1998 shall not be eligible for the "Self-Funded Supplemental Retirement Benefit" (as described in Article XI, Paragraph A.2 of the 2008 amendment to the Police Officers' Association 1997/2000 Memorandum of Understanding, attached hereto and incorporated herein as Exhibit E).

Exhibit E, Paragraph A.2 of the MOU between the HBPMA and City effective July 1, 2006, is amended as follows:

2. Self-Funded Supplemental Retirement Benefit - In the event a PERS member elects Option #1, #2, #2W, #3, #3W or #4 of the Public Employee's Retirement law, and the member is a unit employee who was hired prior to July 6, 1998, the CITY shall pay the difference between such elected option and the unmodified allowance which the member would have received for his/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 member, shall be payable by the CITY during the life of the member, and upon that member's death, the City's obligation shall cease. The method of funding this benefit shall be at the sole discretion of the CITY.

For HBPMA



President

Dated: 12/11/08

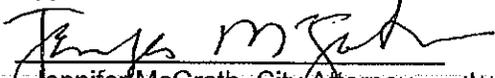
For the City of Huntington Beach



City Administrator

Dated: March 4, 2009

Approved as to form:



Jennifer McGrath, City Attorney *MM-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