

RESOLUTION NO. 4114

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
AUTHORIZING THE EXECUTION OF A SIDE AGREEMENT BETWEEN THE CITY
OF SOLEDAD AND THE SOLEDAD POLICE SEGREGANTS (SPSA)**

WHEREAS, on November 15, 2006, the City of Soledad adopted Resolution No. 3908 authorizing the execution of a Memorandum of Understanding between the City of Soledad and SPSA ; and

WHEREAS, on May 2, 2007 Resolution No. 3989 was approved authorizing the execution of a side agreement and implementing changes to salary and benefits; and

WHEREAS, on October 3, 2007, Resolution No. 4094 was approved authorizing the execution of a side agreement with the SPSA, which approved terms and conditions of employment for the Police Investigator job classification

WHEREAS, On September 11, 2007, the City Council of the City of Soledad adopted Ordinance No. 653, which amended the City Employees' Retirement System and provided for a 3.1% (3% @ 55 modified formula) increase in benefits for local safety members.

Need copy of signed agreement

WHEREAS, Exhibit A, attached hereto, shows the terms and conditions of the side agreement; and

WHEREAS, the cost of the salary increase and benefits are included in the approved FY 2007-2008 Budget.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City Council of the City of Soledad hereby authorizes the City Manager to enter into a side agreement with SPSA as shown in Exhibit "A".


PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 7th day of November, 2007, by the following vote:

AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra, Patricia Stephens, Mayor Pro Tem Christopher Bourke, Mayor Richard Ortiz

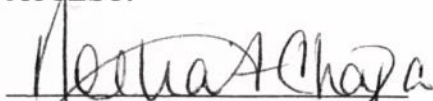
NOES, Councilmembers: None

ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None


RICHARD V. ORTIZ, Mayor

ATTEST:


NOELIA F. CHAPA, City Clerk

SIDE AGREEMENT BETWEEN
THE CITY OF SOLEDAD AND THE
SOLEDAD POLICE SERGEANTS' ASSOCIATION

RECITALS

- A. As a result of Council concerns associated with the recruitment and retention of public safety officers, Staff provided the City Council with a report on current staffing levels, as well as information on salaries and benefits being received by public safety officers in comparable municipalities.
- B. On May 2, 2007 Resolution No. 3989 was approved authorizing the execution of a side agreement and implementing changes to salary and benefits.
- C. On October 3, 2007, Resolution No. 4094 was approved authorizing the execution of a side agreement with the SPSA, which approved terms and conditions of employment for the Police Investigator job classification.
- D. On September 19, 2007, City Council adopted Ordinance No. 653, authorizing a contract amendment with the California Public Employees' Retirement System to provide for Section 21363.1 benefits (3% @ 55 modified formula) for local police and fire safety members.
- E. The parties hereto now desire to memorialize the approved changes to compensation and benefits by way of this Side Agreement, to be appended to the existing Memoranda of Understanding with the SPSA.

NOW, THEREFORE, COMES the parties hereto and agree as follows:

Section 1: PERS Retirement Benefits

All sworn police officers shall be enrolled in the Public Employees' Retirement System (PERS) under the "2% @ 55 modified formula" offered by said System. CITY will pay all of the employer's share of PERS contributions and all of the employees' contribution.

Effective November 16, 2007, all sworn police officers shall be enrolled in the Public Employees' Retirement System (PERS) under the "3% @ 55 modified formula" offered by said System. CITY will pay all of the employer's share of PERS contributions and seven percent (7%) of the member's nine percent (9%) rate. The employees will pay two percent (2%) of the members' contribution.

The City agrees to take all steps necessary to implement an IRC 414 (H) (2) plan which will allow the employer pickup of the employees' mandatory retirement contribution to be treated as compensation.

