

RESOLUTION NO. 4115

**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 OFFICERS' ASSOCIATION (SPOA)**

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 September 19, 2007 the City Council of the City of Soledad adopted Ordinance No. 653, authorizing a contract amendment with the California Public Employees' Retirement System to provide for Section 21363.1 (3% @ 55 modified formula) benefits for local safety members; and

WHEREAS, Exhibit A depicts the Side Agreement; and

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

NOW, THEREFOR
the City of Soledad hereby authorizes
as shown in Exhibit "A".

PASSED AND ADOPTED
regular meeting duly held on the 7th c

*Need copy
of signed
agreement*

RESOLVED, that the City Council of
the City of Soledad hereby authorizes
the execution of a side agreement with SPOA

at a meeting of the City of Soledad at a
following vote:

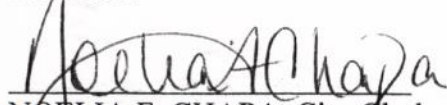
AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra,
Patricia Stephens, Mayor Pro Tem Christopher Bourke, Mayor Richard Ortiz

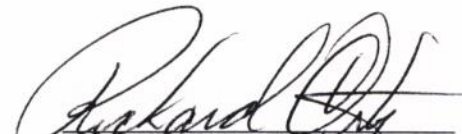
NOES, Councilmembers: None

ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None

ATTEST:


NOELIA F. CHAPA, City Clerk


RICHARD V. ORTIZ, Mayor

SIDE AGREEMENT BETWEEN
THE CITY OF SOLEDAD AND THE
SOLEDAD POLICE OFFICERS' 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 September 19, 2007, City Council adopted Ordinance No. 653, authorizing a contract amendment with CalPERS to provide FOR Section 21363.1 benefits (3% @ 55 modified formula) for local Police and Fire safety members.
- D. 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 SPOA.

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

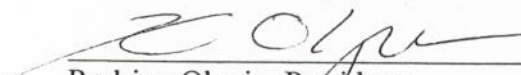
Section 1: PERS Retirement Benefits

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.

Section 2: With the exception of the changes set forth in Sections 1 above, all other terms and conditions of the existing 2006-2008 MOU and subsequent amendments between the City of Soledad and the SPOA remain in effect.

 10-30-07

 Rodrigo Olguin, President Date
 Soledad Police Officers' Association

 Noelia F. Chapa Date
 City Manager