



AGENDA REPORT

Meeting Date: May 27, 2009
Item Number: D-2 A, B, & C
To: Honorable Mayor & City Council
From: Sandra Olivencia-Curtis, Assistant Director of Administrative Services/Human Resources
Neil A. Comelo, Personnel Manager 

- Subject:**
- A. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FOR PAYING AND REPORTING TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR LOCAL SAFETY EMPLOYEES IN THE BEVERLY HILLS FIREMEN'S ASSOCIATION, AND
 - B. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FOR PAYING AND REPORTING TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MISCELLANEOUS EMPLOYEES IN THE MANAGEMENT AND PROFESSIONAL EMPLOYEES ASSOCIATION OF BEVERLY HILLS, AND
 - C. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FOR PAYING AND REPORTING TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MISCELLANEOUS EMPLOYEES IN THE BEVERLY HILLS SAFETY SUPPORT ASSOCIATION.

Attachments: 1. Resolution (3)

RECOMMENDATION

Staff recommends approval of the attached resolutions implementing the California Public Employee's Retirement System (CalPERS) the value of Paying and Reporting of Employer Paid Member Contributions also referred to as PERS-on-PERS benefit for Safety employees in the Firemen's Association, and for miscellaneous employees in the Management and Professional Employees Association and in the Safety Support Association.

INTRODUCTION

The City currently pays to CalPERS, on behalf of the safety employees in the Beverly Hills Firemen's Association, and the miscellaneous employees in the Management and Professional Employees Association and in the Safety Support Association, the employees' retirement contributions. CalPERS law permits the City to choose to report the value of these employer-paid retirement contributions as compensation earnable. In the most recent memoranda of understanding with the Firemen's Association, the Management and Professional Employees Association, and the Safety Support Association, the City agreed to report the value to CalPERS. A separate resolution for each bargaining unit is required to implement the PERS-on-PERS benefit with CalPERS.

DISCUSSION

These resolutions would implement Government Code Section 20636(c)(4) and would approve reporting to CalPERS the value of employer-paid member retirement contributions as compensation earnable – better known as PERS-on-PERS. This benefit has previously been extended to members of several other bargaining groups following the adoption of a new memorandum of understanding (MOU) with such bargaining groups. The recent MOU between the City and the Beverly Hills Firemen's Association included an agreement to extend this benefit to the safety employees in that bargaining unit effective September 26, 2009. The recent MOU between the City and the Management and Professional Employees Association and the recent MOU between the City and the Safety Support Association included agreements to extend this benefit to the miscellaneous employees in those bargaining units retroactive to the date of November 1, 2008.

FISCAL IMPACT

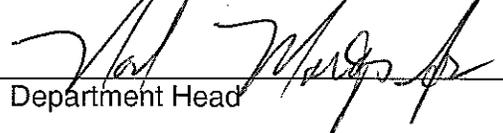
Costs related to this benefit have been budgeted for the next Fiscal Year. Costs for the term of all the negotiated agreements will be paid for by employees in the three bargaining groups since it will be valued as part of total compensation consistent with the MOUs approved by the City Council on March 11, 2009.

Sandra Olivencia-Curtis



Human Resources

Scott G. Miller



Department Head

RESOLUTION NO. 09-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS FOR PAYING AND REPORTING TO
THE CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM THE VALUE OF EMPLOYER
PAID MEMBER CONTRIBUTIONS FOR LOCAL
SAFETY EMPLOYEES IN THE BEVERLY HILLS
FIREMEN'S ASSOCIATION

WHEREAS the Council of the City of Beverly Hills (the "Council) has the authority to implement Government Code Section 20636(c)(4) pursuant to Government Code Section 20691;

WHEREAS, the City of Beverly Hills has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Government Code Section 20691 is the adoption by the City of Beverly Hills of a resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the City of Beverly Hills has identified the following conditions for the purpose of its election to pay EPMC:

(1) This benefit shall apply to Local Safety Employees in the Beverly Hills Firemen's Association bargaining unit.

(2) The position classifications represented by the Beverly Hills Firemen's Association bargaining unit are listed in Exhibit A of that bargaining unit's Memorandum of Understanding.

(3) This benefit shall consist of the City paying one hundred percent (100%) of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation.

(4) This benefit shall be effective September 26, 2009. The Beverly Hills Firemen's Association Memorandum of Understanding, covering the term from October 4, 2008 to October 5, 2011, was approved by the City Council on March 11, 2009.

NOW THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows:

Section 1. The City of Beverly Hills hereby elects to pay and report the value of EPMC, effective September 26, 2009, as set forth in the recitals above.

Section 2. The Chief Financial Officer or his/her designee shall oversee the City's compliance with this Resolution.

Section 3. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

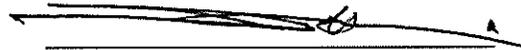
_____(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:



SCOTT G. MILLER
Director of Administrative Services/
Chief Financial Officer

RESOLUTION NO. 09-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS FOR PAYING AND REPORTING TO
THE CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM THE VALUE OF EMPLOYER
PAID MEMBER CONTRIBUTIONS FOR
MISCELLANEOUS EMPLOYEES IN THE
MANAGEMENT AND PROFESSIONAL EMPLOYEES
ASSOCIATION OF BEVERLY HILLS

WHEREAS the Council of the City of Beverly Hills (the "Council") has the authority to implement Government Code Section 20636(c)(4) pursuant to Government Code Section 20691;

WHEREAS, the City of Beverly Hills has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Government Code Section 20691 is the adoption by the City of Beverly Hills of a resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the City of Beverly Hills has identified the following conditions for the purpose of its election to pay EPMC:

- (1) This benefit shall apply to Miscellaneous Employees in the Management and Professional Employees Association of Beverly Hills bargaining unit.

(2) The position classifications represented by the Management and Professional Employees Association of Beverly Hills bargaining unit are listed in Exhibit A of that bargaining unit's Memorandum of Understanding.

(3) This benefit shall consist of the City paying one hundred percent (100%) of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation.

(4) This benefit shall be retroactive to November 1, 2008, which is the beginning of the second month following the effective date of the Management and Professional Employees Association of Beverly Hills Memorandum of Understanding. Said Memorandum of Understanding, covering the term from September 27, 2008 to October 5, 2013, was approved by the City Council on March 11, 2009.

NOW THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows:

Section 1. The City of Beverly Hills hereby elects to pay and report the value of EPMC, effective November 1, 2008, as set forth in the recitals above.

Section 2. The Chief Financial Officer or his/her designee shall oversee the City's compliance with this Resolution.

Section 3. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

_____(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:



SCOTT G. MILLER
Director of Administrative Services/
Chief Financial Officer

RESOLUTION NO. 09-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS FOR PAYING AND REPORTING TO
THE CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM THE VALUE OF EMPLOYER
PAID MEMBER CONTRIBUTIONS FOR
MISCELLANEOUS EMPLOYEES IN THE BEVERLY
HILLS SAFETY SUPPORT ASSOCIATION

WHEREAS the Council of the City of Beverly Hills (the "Council") has the authority to implement Government Code Section 20636(c)(4) pursuant to Government Code Section 20691;

WHEREAS, the City of Beverly Hills has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Government Code Section 20691 is the adoption by the City of Beverly Hills of a resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the City of Beverly Hills has identified the following conditions for the purpose of its election to pay EPMC:

(1) This benefit shall apply to Miscellaneous Employees in the Beverly Hills Safety Support Association bargaining unit.

(2) The position classifications represented by the Beverly Hills Safety Support Association bargaining unit are listed in Exhibit A of that bargaining unit's Memorandum of Understanding.

(3) This benefit shall consist of the City paying one hundred percent (100%) of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation.

(4) This benefit shall be retroactive to November 1, 2008, which is the beginning of the second month following the effective date of the Beverly Hills Safety Support Association Memorandum of Understanding. Said Memorandum of Understanding, covering the term from September 27, 2008 to October 4, 2013, was approved by the City Council on March 11, 2009.

NOW THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows:

Section 1. The City of Beverly Hills hereby elects to pay and report the value of EPMC, effective November 1, 2008, as set forth in the recitals above.

Section 2. The Chief Financial Officer or his/her designee shall oversee the City's compliance with this Resolution.

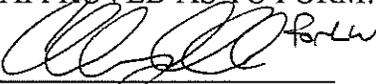
Section 3. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

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BYRON POPE
City Clerk

APPROVED AS TO FORM:


LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:


SCOTT G. MILLER
Director of Administrative Services/
Chief Financial Officer